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8 **BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

9 In Re: The Matter of Enforcement Action
10 Against:

PDC CASE NO. 146593

FINAL ORDER

11 WASHINGTON STATE REPUBLICAN
12 PARTY,

13 Respondent.
14

15 This matter was heard by the Washington State Public Disclosure Commission (PDC,
16 Commission) on October 24, 2024, by in-person, telephonic, and online streaming access. The
17 hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
18 WAC.

19 Commissioners present in-person were Allen Hayward, Commission Chair, J. Robert
20 Leach (Commission Vice-Chair, presiding), and Commissioners Nancy Isserlis, Douglass North,
21 and James Oswald. Also present in-person were Assistant Attorney General John S. Meader
22 representing the Commission, Assistant Attorney General Susie Giles-Klein, representing PDC
23 Staff, Jennifer Hansen, PDC Compliance Coordinator, and attorney Joel Ard representing the
24 Washington State Republican Party. Notice of the Meeting was provided to the Respondent and
25 they appeared through counsel. The proceeding was open to the public and recorded.
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1 The Commissioners had before them the following materials:

2 PDC staff exhibits:

- 3
- 4 1. Complaints submitted by Stacey Valenzuela, filed with PDC Staff on October 27, 2023;
- 5 2. Complaint submitted by Heidi Schauble, filed with PDC Staff on November 7, 2023;
- 6 3. Complaints submitted by Jacki Bricker and Ron Critchfeld, filed with PDC Staff on
- 7 February 1, 2024;
- 8 4. Email from WSRP Executive Director Braden “Brady” Batt to PDC Staff, dated January
- 9 16, 2024;
- 10 5. WSRP Exempt’s Amended Summary Full Campaign Contribution and Expenditure
- 11 report (C-4 report) covering October 17 – 30, 2023, filed with the PDC on January 26,
- 12 2024;
- 13 6. WSRP Exempt’s Summary Full Campaign Contribution and Expenditure report (C-4
- 14 report) covering December 1 – 31, 2023, filed with the PDC on January 10, 2024;
- 15 7. PDC Staff’s Subpoena to Onvoy, LLC, served on December 4, 2023;
- 16 8. Onvoy, LLC’s response to PDC Staff’s Subpoena, submitted on December 8, 2023;
- 17 9. PDC Staff’s Commercial Advertiser Request to SignalWire and SignalWire’s Response,
- 18 dated December 19 and 20, 2023, respectively;
- 19 10. PDC Staff’s Commercial Advertiser Request to Prompt.io, dated December 26, 2023;
- 20 11. Prompt.io’s Response to PDC Staff’s Request, submitted on December 29, 2023;
- 21 12. PDC Staff’s Correspondence with Braden Batt, dated February 16 and 26, 2024;
- 22 13. PDC Staff’s Correspondence with Braden Batt, dated May 23 and 31, 2024;
- 23 14. WSRP Exempt’s Cash Receipts Monetary Contributions report (C-3 report), filed with
- 24 the PDC on September 23, 2024;
- 25 15. PDC Staff’s Correspondence with Matthew Frohlich, dated October 9, 2024;
- 26 16. Amended Report of Investigation for PDC Case No. 146593 with attached List of
- Exhibits, submitted October 14, 2024;

17. WSRP Exempt's First Amended Cash Receipts Monetary Contributions report (C-3 report) covering a deposit originally made on September 17, 2024, filed with the PDC on October 21, 2024;

18. WSRP Exempt's Second Amended Cash Receipts Monetary Contributions report (C-3 report) covering a deposit originally made on September 17, 2024, filed with the PDC on October 22, 2024.

- PDC Witness and Exhibit List, dated September 18, 2024, with Exhibits 1-13 attached, signed by Assistant Attorney General Susie Giles-Klein;
- PDC Order on Motion for Continuance, PDC Case 146593, dated September 25, 2024, signed by Chair Allen Hayward;
- PDC Amended Witness and Exhibit List, dated October 17, 2024, with Exhibits 14-16 attached, signed by Assistant Attorney General Susie Giles-Klein;
- PDC Second Amended Witness and Exhibit List, dated October 23, 2024, with Exhibits 17-18 attached, signed by Assistant Attorney General Susie Giles-Klein;
- PDC Enforcement Hearing Notice, PDC Case 146593, for hearing October 24, 2024, dated September October 14, 2024, signed by Jennifer Hansen, PDC Compliance Officer;
- Notice of Administrative Charges, PDC Case 146593, dated October 14, 2024, signed by Peter Lavalley, PDC Executive Director.

Respondent's Exhibits:

Respondent did not submit any exhibits or file a witness list.

I. FINDINGS OF FACT

This matter involves Respondent Washington State Republican Party (WSRP), a Bona Fide State Party Committee with an exempt and non-exempt account both registered with the PDC during calendar years 2023 and 2024.

1 The PDC alleges four categories of violation: 1) failure to include sponsor identification
2 on political advertising in violation of RCW 42.17A.320; 2) failure to timely disclose
3 expenditures made on Summary Full Campaign Contribution and Expenditure reports (C-4
4 reports) in violation of RCW 42.17A.235 and RCW 42.17A.240; 3) making a contribution to a
5 ballot measure committee using exempt funds in violation of RCW 42.17A.405 and WAC 390-
6 37-060; and 4) failing to timely and accurately disclose the source of monetary contributions on
7 Monetary Contributions reports (C-3 reports) in violation of RCW 42.17A.235 and RCW
8 42.17A.240, and depositing overlimit anonymous contributions in violation of RCW
9 42.17A.220.

- 11 1. On October 26, 2023, WSRP disseminated a text message opposing Han Tran, a
12 2023 Northshore School Director candidate running against Myriam Juritz, but
13 failed to include sponsor identification on the advertisement.
14
- 15 2. On January 26, 2024, WSRP Non-Exempt amended the 7-day Pre-General C-4
16 report covering the campaign activity from October 17-30, 2023. The C-4 report
17 disclosed a \$159.22 debt owed to Prompt.io for “GOTO text messages – Myriam
18 Juritz Northshore School Dis. Dir. Pos. 3,” made on October 26, 2023. The
19 expenditure was disclosed 87 days late.
20
- 21 3. On January 10, 2024, WSRP Exempt submitted a C-4 report covering activity for
22 December, 2023, and disclosed a \$100,000 monetary contribution to Let’s Go
23 Washington, a ballot measure committee registered with the PDC to support six
24 statewide initiatives. The contribution was not earmarked for exempt activities
25 and was made using Exempt funds.
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4. On September 23, 2024, WSRP Exempt submitted a C-3 report disclosing anonymous contributions totaling \$106,500 deposited on September 17, 2024.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this proceeding pursuant to Chapter 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC.
2. The text message WSRP sent to voters was political advertising, as defined in RCW 42.17A.005(40). It asked voters to “REJECT Han Tran Northshore school board candidate who calls for Israel’s destruction and elimination of Jews! VOTE by 11/7, protect kids.” The message directly opposed a candidate and included a statement encouraging recipients to “VOTE by 11/7.” The political advertisements were sent without including the sponsor’s name and address in violation of RCW 42.17A.320(1).
3. WSRP did not timely disclose its expenditures on its Summary Full Campaign Contribution and Expenditure report (C-4 reports). Under the full reporting option, until five months before the general election, C-4 reports are required monthly when contributions or expenditures exceed \$200 since the last report and on the twenty-first day and seventh day immediately preceding the date on which the election is held. On January 26, 2024, WSRP amended its C-4 report from October 17-30, 2023, and disclosed a \$159.22 debt owed to Prompt.io for

1 the GOTV text messages. The disclosure was disclosed 87 days late and after
2 the 2023 election.

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- 4 4. WSRP made a \$100,000 contribution to Let's Go Washington in December,
5 2023. The expenditure was made from its exempt funds and was not earmarked
6 for exempt activities. The expenditure generally supported Let's Go
7 Washington's initiatives and was not limited as required by RCW
8 42.17A.405(15) and WAC 390-17-060 to only allowable expenditures.
9 Appropriate uses of exempt funds are listed in RCW 42.17A.405(15)(a-c) and
10 include funds earmarked for voter registration, absentee ballot information, and
11 precinct caucuses, all without promotion of or political advertising for
12 individual candidates. They also include internal organizational expenses and
13 independent or electioneering communications. WSRP's use of exempt funds
14 for the general use of a ballot measure committee without earmarking for an
15 allowable expense did not meet these criteria and violated RCW 42.17A.405
16 and WAC 390-17-060.

- 17
18 5. WSRP submitted a C-3 report disclosing anonymous contributions totaling
19 \$106,500 that were deposited on September 17, 2024. RCW 42.17.A.220(4)
20 states: "[A]ccumulated unidentified contributions...in excess of one percent of
21 the total accumulated contributions received in the current calendar year, or
22 three hundred dollars, whichever is more, may not be deposited, used, or
23 expended, but shall be returned to the donor if his or her identity can be
24 ascertained." The aggregate funds deposited by WSRP were more than one
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1 percent of the total accumulated contributions in that calendar year and were not
2 returned to the donors.
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4 **III. ORDER**

5 This Order will be the Final Order. After consideration of the mitigating and
6 aggravating factors, arguments of counsel, the exhibits and witness testimony, the Findings of
7 Fact, and the Conclusions of Law, the Commission unanimously finds four violations.
8 Respondent failed to 1) include sponsor identification on political advertising in violation of
9 RCW 42.17A.320; 2) failed to timely disclose expenditures on C-4 reports in violation of
10 RCW 42.17A. 235 and .240; 3) did not earmark exempt funds for allowable expenditures in
11 violation of RCW 42.17A.405 and WAC 390-17-060; and 4) did not timely and accurately
12 disclose the source of monetary contributions on C-3 reports and deposited overlimit
13 anonymous contributions in violation of RCW 42.17A.235, RCW 42.17A.240 and RCW
14 42.17A.220.

15 An aggregate civil penalty is imposed of \$5,000 for all the violations combined, with
16 \$1,000 suspended on the following conditions:
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- 18 1. a. The non-suspended portion (\$4,000) of the \$5,000 total civil
19 penalty for the four violations is paid by the Respondent within 30 days
20 of the date of this Final Order.
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- 22 b. The Respondent transfers the \$100,000 improperly expended
23 from the exempt account back to the exempt account within 30 days of
24 the date of this final order.
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1 c. The Respondent remains in full compliance with all PDC
2 reporting requirements and is not found to have committed any further
3 violations of Chapter 42.17A RCW or Title 390 WAC within four years
4 of the date of this Final Order. The suspended penalty shall not be
5 assessed based solely upon any remediable violation, minor violation, or
6 error classified by the Commission as appropriate to address by a
7 technical correction.
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- 9 2. If the Respondent fails to meet the conditions in Section III(1) of this order within
10 30 days of the date of this order, the suspended portion of the penalty shall
11 immediately become due and the matter may be sent to collection or brought to
12 Superior Court as allowed by law without further action by the Commission.
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14 SO ORDERED this __29th__ day of October 2024.
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16 WASHINGTON STATE PUBLIC
17 DISCLOSURE COMMISSION

18 FOR THE COMMISSION:

19 Allen Hayward

20 Allen Hayward (Oct 29, 2024 16:25 PDT)

21 Allen Hayward, Chair,
Public Disclosure Commission

22 *This order sent by email to:*
23 WSRP, Respondent,
11811 NE 1st St. Ste. A306
Bellevue, WA 98005
24 c/o Joel Ard, Respondent's Counsel,
P.O. Box 11633
25 Bainbridge Island, WA 98110
joel@ard.law
26

I, Jana Greer, AO, certify that I emailed a copy
of this order to the Respondent at his respective email
address.

Jana Greer
Signed Date

10/29/24

1 Susie Giles-Klein,
Assistant Attorney General
2 Susie.GilesKlein@atg.wa.gov

3 Jennifer Hansen,
PDC Compliance Officer,
4 jennifer.hansen@pdc.wa.gov

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6 **NOTICE: RECONSIDERATION**

7 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
8 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
9 you. Any Request for reconsideration must state the specific grounds for the relief requested.
10 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
711 Capitol Way, Room 206, Box 40908, Olympia WA 98504-0908.

11 **NOTICE: PETITION FOR JUDICIAL REVIEW**

12 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
13 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final
14 Order must be filed with the court and also served upon both the Commission and the Office of
the Attorney general within thirty (30) days after the date this Final Order is served upon you.
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Final_Order-WSRP-146593

Final Audit Report

2024-10-29

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