



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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May 17, 2019

Delivered electronically to Harrison Toepfer, Committee Chair at “chair@17thdems.org”

Subject: Complaint filed by Frank McConnell, PDC Case 27329

Dear Mr. Toepfer:

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

As noted in the letter to Mr. McConnell, 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.

However, pursuant to WAC 390-37-060(1)(d), this letter serves as a warning letter concerning your failure to comply with the filing requirements noted in the enclosed letter sent to Mr. McConnell. Staff expects the 17th Legislative District Democrats to timely file all required reports of contributions and expenditures in future years. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by email at jennifer.hansen@pdc.wa.gov.

Sincerely,

/s _____
Jennifer Hansen
Compliance Officer

Endorsed by,

/s _____
Peter Lavalley
Executive Director



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May 17, 2019

Delivered electronically to Frank McConnell at “franksmcconnell@teleworm.us”

Subject: Complaint regarding 17th Legislative District Democrats, PDC Case 27329

Dear Mr. McConnell:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 31, 2017. Your complaint alleged that the 17th Legislative District Democrats, a bona fide legislative district party committee, may have violated RCW 42.17A.235 for failure to timely and accurately file Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports), disclosing contributions and expenditures undertaken during calendar year 2017.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the response provided by 2017 Treasurer, Aryn Oster; and the applicable PDC reports filed by the Respondent, to determine whether the record supports a finding of one or more violations.

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

- On January 19, 2017, the 17th Legislative District Democrats (17THLD) filed a Committee Registration (C-1pc report) registering as a bona fide legislative district party committee for calendar year 2017 and choosing the “Full Reporting” option.
- Staff’s review of the 17THLD’s campaign activity shows that the committee did not make expenditures to support or oppose candidates during 2017 and was, therefore, required to file campaign contribution and expenditure reports on a monthly basis when the committee’s activity exceeded \$200.

Allegation A: Violation of RCW 42.17A.235 for failure to disclose expenditures related to the rental of a post office box.

- On November 3, 2017, the 17THLD filed a C-4 report disclosing one \$76 expenditure to the US Postal Service for post office box rental. The C-4 was due by June 12, 2017 and was submitted 144 days late.

Allegation B: Violation of RCW 42.17A.235 for failure to disclose web domain and hosting costs.

- On November 3, 2017, the 17THLD filed a C-4 report disclosing \$515 in monetary contributions received, and \$386.54 in expenditures made, including \$216 for web hosting and \$120.80 to purchase a website domain. The C-4 was due by June 12, 2017 and was submitted 144 days late.

- In the response, Aryn Oster stated that during 2017 the committee experienced technical issues related to the use of the PDC's electronic filing software (ORCA) that required assistance from PDC staff. The committee also had difficulties related to committee staff turnover and accessing banking information that caused delays in reporting.

Allegation C: Violation of RCW 42.17A.235 for failure to report contributions made to the Clark County Democratic Central Committee.

- On November 3, 2017, the 17THLD filed a C-4 report disclosing \$100 in monetary contributions received, and \$1,153.03 in expenditures made, including a \$1,100 contribution to the Clark County Democratic Central Committee (CCDCC) to purchase tickets for a fundraising dinner. The C-4 was due by August 11, 2017 and was submitted 84 days late.
- In the response, Aryn Oster stated that there was a discrepancy between the reports filed by the 17THLD and those submitted by the CCDCC but confirmed that expenditures were reported correctly by the 17THLD.

Staff's review of the 17THLD's campaign contribution and expenditure reports submitted during 2017 found that the majority of the reports comprised either small monetary deposits and expenses or no activity at all. However, the committee filed reports, including those detailed in the allegations above, more than 100 days past the due date.

Based on these findings staff has determined that, in this instance, failure to timely file C-3 and C-4 reports disclosing contribution and expenditure activity during calendar year 2017, including the disclosure of expenses for post office box rental, website domain, website hosting, and funds given to the CCDCC for a fundraising event, does not amount to an actual violation warranting further investigation.

Pursuant to WAC 390-37-060(1)(d), the 17th Legislative District Democrats will receive a formal written warning concerning failure to timely disclose contribution and expenditures during calendar year 2017. The formal written warning will include staff's expectation that the 17THLD timely files all future required reports of contributions and expenditures. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

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 Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at jennifer.hansen@pdc.wa.gov.

Sincerely,

/s _____
Jennifer Hansen
Compliance Officer

Endorsed by,

/s _____
Peter Lavalley
Executive Director

cc: 17th Legislative District Democrats