



**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@pdc.wa.gov • Website: www.pdc.wa.gov

December 17, 2019

Delivered electronically to "byesheriff2017@gmail.com"

Subject: Complaint filed by Chris Barringer, PDC Case 27029

Dear Bye Sheriff Urquhart Campaign:

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

As noted in the letter to Chris Barringer, 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 serves as a formal written warning concerning failure to timely register as a political committee and report contributions and expenditures, and for exceeding anonymous contribution limits. Staff expects you to timely register future campaigns and report contribution and expenditure activity, and to only accept contributions within statutory limitations. The Commission will consider the 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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdc.wa.gov.

Sincerely,

/s

Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s

Peter Lavallee
Executive Director



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December 17, 2019

Delivered electronically to “chris.r.barringer@gmail.com”

Subject: Complaint regarding Bye Sheriff Urquhart Campaign, PDC Case 27029

Dear Chris Barringer:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 16, 2017. The complaint alleged that the Bye Sheriff Urquhart Campaign (Respondent), sponsors of a GoFundMe account and a Facebook Page, may have violated RCW 42.17A.205 for failure to timely file a Political Committee Registration report (C-1pc report); and 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 by the Campaign.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the responses provided by the Respondent; the applicable PDC reports filed by the Respondent; and queried the Respondent’s data in the PDC contribution and expenditure database, to determine whether the record supports a finding of one or more violations.

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

- The Respondent operated a Facebook Page titled “Bye Sheriff John Urquhart” calling for votes and financial opposition to the 2017 election campaign of John Urquhart for King County Sheriff, which failed to identify the name and address of the sponsors of the page in accordance with RCW 42.17A.320.
- The Respondent solicited readers of posts provided in the complaint to visit a GoFundMe account at “<https://www.gofundme.com/f/byesheriff>” to, “*take us from 50k to 100k views. We can get out the stories that John is preventing the media from sharing.*”
- The GoFundMe account listed Erin Marie Scurry as the organizer for the account, with a total of \$735 raised from undisclosed sources to support the Respondent’s political advertising.
- RCW 42.17A.205 requires a person or collection of persons to file a C-1pc report within two weeks of the expectation of receiving contributions or making expenditures in an election campaign.
- The version of RCW 42.17A.235 in effect at the time of the activity required political committees to report any contributions received and expenditures made prior to registration on C-3 and C-4 reports, on the day that the C-1pc was due to be filed, and to regularly report contribution and expenditure activity on C-3 and C-4 reports over the course of the Campaign.
- On November 6, 2017, PDC staff contacted the Respondent through the GoFundMe account with a message addressed to Erin Scurry, informing them of the obligation to

register and report as a political committee, and requested a response from the Respondent to the allegations in the complaint.

- The Respondent acknowledged that they had formed to oppose John Urquhart's campaign and support the campaign of Mitzi Johanknecht, and that they had accepted anonymous contributions and contributions made under false names, as prohibited by RCW 42.17A.220 and RCW 42.17A.435, stating, *"As for reporting those who have donated, they have done it anonymously, or used names like Mickey Mouse. This is an option with the GFM program."*
- PDC staff replied to request a formal response to the allegations and to inform the Respondent of their filing obligations, stating *"Please note that GoFundMe and related websites do not make political committees and candidates exempt from complying with campaign finance law. Campaign Managers and Treasures [sic] can be held liable for accepting and using anonymous contributions for campaign purposes and related reporting infractions, so I would caution your team to be wary of the risks of using GoFundMe in a manner that may violation [sic] RCW 42.17A and WAC 390."*
- The Respondent replied to state, *"These are private citizens getting out the truth. This is not about a campaign. This was not about supporting a candidate at all. This was not attached to any campaign so there is not a campaign that would need to file information."*
- On July 29, 2019, PDC staff contacted the Respondent to inform them that review of the case had been resumed, that the Respondent had a requirement to register and report as a political committee, and that they had likely exceeded the anonymous contribution limit set forth in RCW 42.17A.220; PDC staff requested a response and the exact number of anonymous contributions to facilitate proper reporting.
- On October 22, 2019, PDC staff attempted to contact the Respondent through the GoFundMe account to request a further reply and to facilitate reporting of the activity from the 2017 Campaign.

Based on our findings staff has determined that, in this instance, failure to register as a political committee and report contributions and expenditures does not amount to a violation that warrants further investigation.

However, pursuant to WAC 390-37-060(1)(d), the Bye Sheriff Urquhart Campaign will receive a formal written warning concerning failure to timely register as a political committee and report contributions and expenditures, and for exceeding anonymous contribution limits. The formal written warning will include staff's expectation that the Bye Sheriff Urquhart Campaign timely registers future campaigns and reports contribution and expenditure activity, and to only accept contributions within statutory limitations. 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).

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Sincerely,

/s

Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s

Peter Lavalley
Executive Director

cc: Bye Sheriff Urquhart Campaign