



**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

May 30, 2019

Sent electronically to info@ewvoters.org

Subject: Complaints filed by Glen Morgan, Re: Eastern Washington Voters, PDC Case 24432

Dear: Bryan Burke:

Enclosed is a copy of an electronic letter sent to Glen Morgan concerning a complaint filed with the Public Disclosure Commission (PDC) alleging Eastern Washington Voters violated RCW 42.17A.235 and .240 for failing to timely and accurately report contributions, expenditures, and debt, and failing to provide proper expenditure descriptions, RCW 42.17A.205 for failing to list committee officers, and RCW 42.17A.425 for prohibited authorization of expenditures by non-committee officers.

As noted in the letter to Mr. Morgan, 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.

Pursuant to WAC 390-37-060(1)(d), this letter serves as a formal written warning concerning your failure to comply with the filing requirements noted in the enclosed letter to Mr. Morgan. This formal written warning comes with staff's expectation you will file timely, complete and accurate reports in future years in accordance with PDC laws and rules, and list on the committee registration all those who authorize expenditures.

Additionally, in your response, you indicate "Since my name is on the C-1PC and I have the authority to make and incur expenses on the behalf of the committee, our PAC is in compliance with 42.17A.425." To be clear, the law dictates that only persons listed on the registration form may authorize expenditures. So, as the only person so listed, only you can authorize expenditures.

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 Alice Fiman at (360) 586-4746, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov

Sincerely,

/s _____

Alice Fiman
Compliance Officer

Endorsed by,

/s _____

Peter Lavallee
Executive Director



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May 30, 2019

Sent Electronically to Glen Morgan at “glen@wethegoverned.com”

Subject: Eastern Washington Voters, PDC Case 24432

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed October 11, 2017.

Your complaints alleged Eastern Washington Voters (the Committee) may have violated: (1) RCW 42.17A.235 and .240 for failing to accurately and timely file Monetary Contributions reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports); (2) RCW 42.17A.240 for failing to properly report expenditures and debts on C-4 reports, including the failure to provide proper expenditure descriptions; and (3) RCW 42.17A.205 for failing to list committee officers, and RCW 42.17A.425 for prohibited authorization of expenditures by non-committee officers.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the C-3 and C-4 reports filed by the Committee, and the response from Bryan E. Burke Treasurer and Executive Director of Eastern Washington Voters.

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

- Eastern Washington Voters is an on-going Committee, with an address in Spokane, Washington that has been registered with the PDC since at least 2004.
- The Committee's most recent Political Committee Registration (C-1pc) was filed April 13, 2015, with the Committee choosing the Full Reporting option and listing Bryan Burke as campaign manager and treasurer.

Allegation #1: Failure to timely and accurately file C-3 and C-4 reports

- The complaint alleged the Committee failed to timely file C-3 and C-4 reports in 2015, 2016 and 2017. You attached a spreadsheet of those reports, noting in those three years, 102 of the Committee's 201 contributions were filed from five to 172 days late and 265 of the Committee's 544 expenditures were filed between two and 178 days late
- During the 2015 election year, the Committee filed a total of 65 C-3 and C-4 reports disclosing \$9,070.09 in contributions and \$8,404.16 in expenditure activities. Seven were filed as amended reports.
- During the 2016 election year, the Committee filed a total of 64 C-3 and C-4 reports disclosing \$10,619.95 in contributions and \$8,846.36 in expenditure activities. Ten were filed as amended reports.
- During the 2017 election year, the Committee filed a total of 66 C-3 and C-4 reports disclosing \$9,042.67 in contributions and \$10,428.11 in expenditure activities. Sixteen were filed as amended reports.
- In the response, Burke stated, "Yes, as Mr. Morgan pointed out, some of my reports of expenditures were late. I personally take responsibility for those that were late." The response continued, stating "When we use our State PAC to try to influence elections, the large majority of our expenses are for rent and staff to coordinate volunteers. However, PDC regulated election activities are a small part of our work. During the last six years, the amount spent on phone calls, door belling, leafleting, or the in-house generation of small-volume mailers to support or oppose electoral races has ranged from about \$1,000 to probably not more than \$3,000 out of budget between \$7,000 and \$37,000. I believe it has been nine years since EWV purchased political advertising or donated more than \$25 in money to a candidate."
- Eastern Washington Voters' largest expenditure to a candidate or political party in 2015, 2016 or 2017 was a \$200 expenditure made October 25, 2015 to the Spokane County Democrats.

Allegation #2: Failure to disclose debts and obligations on C-4 reports.

- The complaint alleged that the Committee failed to disclose debts and obligations on C-4 reports and properly provide detailed breakdown descriptions of expenditures. You attached a spreadsheet of those expenditures.
- In the response, Burke stated "Most of what Mr. Morgan is calling debt for unpaid expenses was not actually debt held by the committee. As I wrote, the majority of our expenses that Mr. Morgan thought were debts were for rent and staff."

- Regularly recurring expenses of the same amount (such as rent, utilities, insurance, cellular phone costs, and payments to campaign staff) do not have to be reported unless they were past due on the last day of the reporting period.

Allegation #3: Failing to provide sub-vendor information for expenditures disclosed on C-4 reports

- The complaint alleged that the Committee failed to properly provide detailed descriptions of expenditures. You attached a spreadsheet of those expenditures.
- In the response, Burke stated “Where appropriate, I provided the additional information in Appendix B that Mr. Morgan requested. However, I believe that many or most of these expenses were adequately documented. These include expenditures that involved reimbursement of either EWV or myself to correct for when I grabbed the wrong debit card. Those reimbursements are well documented in other PDC reports. In some cases, my description of the item and vendor was well documented in the PDC report, but in Mr. Morgan’s list of expenditures it was truncated (probably a formatting issue).
- The Committee made good faith efforts to comply with the reporting requirements of RCW 42.17A.240 concerning expenditures undertaken by the campaign on its C-4 reports. The public was not deprived of critical information as the dates, amounts, and purposes of the expenditures were disclosed, and requiring further amendments to disclose the sub-vendors would not have a significant or material impact on the public.

Allegation # 4: Failure to list committee officers, and prohibited authorization of expenditures by non-committee officers.

- In the response, Burke stated, “The decision to list myself as the only officer of our state political committee was mine alone, and it was based on two factors. First, my board allows me the discretion to decide in the end which races to involve ourselves, which candidates to support, and how much money to spend on the race, and where and when to spend it. Second, I relied on the advice of PDC staff about who should be included on PDC paperwork.”
- PDC staff has informed Burke of RCW 42.17A.425 and his responsibility to authorize all expenditures or list others on the C-1pc as officers who will authorize expenditures.

Based on these findings, staff has determined that in this instance, the failure to timely and accurately file reports of contributions and expenditures and disclose debts and obligations does not amount to an actual violation warranting further investigation.

However, pursuant to WAC 390-37-060(1)(d), Eastern Washington Voters will receive a formal written warning concerning the Committee’s failure to comply with filing requirements as noted in this letter.

The formal written warning will include staff’s expectation Eastern Washington Voters timely file all future required reports of contributions and expenditures and disclose debts and obligations and list on the committee registration all those who authorize 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 Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail fdc@fdc.wa.gov.

Sincerely,

/s _____

Alice Fiman
Compliance Officer

Endorsed by,

/s _____

Peter Lavalley
Executive Director

/s _____