



State of Washington

**PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

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February 21, 2019

Sent Electronically to JT Wilcox & Jason Michaud

Subject: JT Wilcox Complaint Return Letter with Reminder, PDC Case 14755

Representative Wilcox:

Below is a copy of a letter sent electronically to Bailey Stober concerning a complaint he filed with the Public Disclosure Commission (PDC) against you. As noted below in the letter sent to Mr. Stober, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in this matter.

PDC staff is reminding you about the importance of timely and accurately disclosing all contribution and expenditure activities undertaken by your Campaign, including debts, obligations, and the sub-vendor breakdown for expenditures made by the Campaign to consultants or individuals, as well as adhering to the contribution limits as required by PDC laws and rules for all future PDC reports.

Based on this information, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at [kurt.young@pdcc.wa.gov](mailto:kurt.young@pdcc.wa.gov).

Sincerely,

Endorsed by:

s/\_\_\_\_\_  
Kurt Young, Compliance Officer

s/\_\_\_\_\_  
Peter Lavalley, Executive Director



**Public Disclosure Commission**  
Shining Light on Washington Politics Since 1972



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February 21, 2019

Sent electronically to Bailey Stober

Subject: Complaint regarding JT Wilcox, PDC Case 14755

Dear Mr. Stober:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on March 3, 2017, against JT Wilcox, an incumbent State Representative from the 2<sup>nd</sup> Legislative District and a candidate for re-election to that office in 2016 and 2018.

The complaint alleged that JT Wilcox may have violated: (1) RCW 42.17A.205 by failing to timely file a Committee Registration (C-1 report) for the 2016 election disclosing officers, principal decision-makers, and individuals who were authorized to make expenditures, or any material changes to the campaign; (2) RCW 42.17A.235 and .240 by failing to timely file Monetary Contributions reports (C-3 reports) and Campaign Summary Contribution and Expenditure Reports (C-4 reports) disclosing contribution and expenditure activities undertaken by the Campaign, including debts and sub-vendor breakdown, and maintaining campaign records; (3) RCW 42.17A.405 by accepting contributions from contributors that exceeded contribution limits; and (4) RCW 42.17A.430(4) by making surplus funds expenditures to charitable organizations not properly registered in accordance with RCW 19.09.

PDC staff reviewed the allegations listed in the complaint, exhibits, the statutes, rules and reporting requirements, the C-3 and C-4 reports filed by the Committee to Elect JT Wilcox (Campaign) and the response to the complaint provided by the Campaign. Based on staff's review, we found the following:

- On May 5, 2015, James T. Wilcox filed a Candidate Registration (C-1 report) with the Public Disclosure Commission (PDC), declaring his 2016 candidacy for re-election to the office of State Representative, 2<sup>nd</sup> Legislative District, and selecting the Full Reporting option. The C-1pc report listed Jason Michaud as the Treasurer, and Alex Hayes as a Consultant. Representative Wilcox was elected State Representative in 2010, and re-elected to that office in 2012, and 2014.
- Representative Wilcox also registered the JT Wilcox Surplus Funds Account with the PDC and has been filing reports for that account since 2011.
- Mr. Michaud stated that the Campaign timely filed the C-1 report for the 2016 election, and that the \$937 expenditure made to AB Hays was for consulting work "wrapping up the 2014 campaign." He stated the expenditure was disclosed on the "Final report" filed for the 2014 election, and that the expenditure was not related to the 2016 Campaign. He stated that there were no additional officers or principal decision-makers to disclose on the C-1 report

- Concerning the allegations of late filed C-3 and C-4 reports, Mr. Michaud stated that since the Campaign filed the C-1 report on May 5, 2016, the initial C-4 report was not required to have been filed until June 10, 2016. He stated that the Campaign filed the initial C-4 report on May 18, 2016, which was within two weeks of filing the C-1 report
- Mr. Michaud acknowledged that the following reports were filed late by the Campaign:
  1. A C-3 report was filed on July 26, 2016, for a \$20 bank deposit made on July 19, 2016. The C-3 report was due to have been filed on July 25, 2016 and was filed one day late.
  2. The April 2015 C-4 report for the Surplus Funds account was required to have been filed on May 11, 2015, since an expenditure was made to the House Republican Organizational Committee on April 17, 2015. The C-4 report for the Surplus Funds account was filed on May 18, 2015, seven days late.
  3. The December 2016 C-4 report filed by the JT Wilcox Surplus Fund Account was timely filed on January 10, 2017, disclosing no contribution or expenditure activities. On February 10, 2017, a December 2016 amended C-4 report was filed disclosing six surplus funds expenditures had been made between December 5 through 21, 2016, totaling \$796 for food and beverages, lodging and parking. While the initial C-4 report was timely filed, it was alleged that the surplus funds expenditure information was disclosed 31 days late and should have been listed on the original C-4 report.
- The Campaign made two expenditures to Print NW totaling \$4,491 in July of 2016 for two print jobs, that the Campaign acknowledged should have reported earlier on a C-4 report as “estimated debt”. Staff’s review of the allegations determined that a \$26,000 Campaign expenditure made to AB Hays on December 31, 2016 for “Consulting” should have been disclosed as debt on an earlier report. In addition, a \$12,000 outstanding debt owed to AB Hays for “research” was initially disclosed on December 31, 2016, more than seven weeks after the 2016 general election had been held, and likely should have been reported as debt on an earlier C-4 report.
- For the 2016 election, a candidate for State Representative could receive a total of \$2,000 from any single contributor, \$1,000 for the primary election and \$1,000 for the general election.
- Concerning the allegations of exceeding contribution limits, Mr. Michaud stated that the limits were not exceeded for the \$2,000 contribution from Georgia Pacific, since the envelope containing the check was postmarked prior to the August 1, 2016 primary election date. In accordance with PDC laws and rules, the Campaign properly attributed \$1,000 of the contribution to the primary election and \$1,000 to the general election.
- Mr. Michaud acknowledged that the Campaign had exceeded the contribution limits for two contributions received during the 2016 election, from Anheuser Bush Company, and The Puyallup Tribe of Indians. He stated that he personally delivered a \$1,000 refund check to The Puyallup Tribe of Indians, and he mailed a \$1,000 refund check to Anheuser Busch. While the Campaign retained the \$2,000 in excess contributions in the Campaign bank account for more than six months prior to being refunded, those two contributions that exceeded limits represented less than .7% of total contributions, and the Campaign had both a 2016 primary and general election surplus, so the \$2,000 was not spent for any campaign related activities.
- Concerning the alleged prohibited surplus fund expenditures, Mr. Michaud stated that all four of the expenditures were office related expenditures, were permissible uses of surplus funds, and were not made to a charitable organization. He stated that two of the expenditures were reimbursements made to Representative Wilcox for lodging and fees for him to participate in a forum sponsored by the Mainstream Republicans of Pierce County and were directly office related. He stated that two surplus funds expenditures were for Representative Wilcox to attend meetings with other Legislators.

- Finally, he stated that the remaining surplus funds expenditure was for an entry fee for a conference sponsored by the Mainstream Republicans of Washington and that the expenditure was related to holding office as an elected official.

Based on these findings staff has determined that, in this instance, the Campaign's failure to timely and accurately file C-3 and C-4 reports, disclosing contribution and expenditure information, and exceeding the contribution limits for two contributors, does not amount to an actual violation warranting further investigation.

PDC staff is reminding JT Wilcox about the importance of timely and accurately filing C-3 and C-4 reports disclosing contribution and expenditure activities undertaken by the Campaign, including debts, obligations, and the sub-vendor breakdown for expenditures made by the Campaign to consultants or individuals, as well as adhering to the contribution limits as required by PDC laws and rules.

Based on this information, the PDC has dismissed the complaint in accordance with RCW 42.17A.755(1). If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,

Endorsed by:

s/ \_\_\_\_\_  
Kurt Young, Compliance Officer

s/ \_\_\_\_\_  
Peter Lavalley, Executive Director

cc: Jason Michaud, Treasurer for the Committee to Elect JT Wilcox

