



**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: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

Oct. 19, 2018

Delivered electronically to “[carol@carolfrazey.com](mailto:carol@carolfrazey.com)”

Subject: PDC Case 39282

Dear: Carol Frazey

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

As noted below to Anthony Wallace, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

PDC staff is reminding you about the importance of filing timely and accurate campaign finance reports for the remainder of the 2018 election cycle, including providing the proper breakdown and descriptions for expenditures, and complying with the campaign public records inspection requirements. 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 Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail [alice.fiman@pdc.wa.gov](mailto:alice.fiman@pdc.wa.gov).

Sincerely,

/s\_\_\_\_\_

Alice Fiman  
Compliance Officer

Endorsed by,

/s\_\_\_\_\_

Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director

Oct. 19, 2018

Delivered electronically to “ [acwallace78@gmail.com](mailto:acwallace78@gmail.com) ”

Subject: Complaint regarding PDC Case 39282

Dear Anthony Wallace:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on August 6, 2018, against Carol Frazey, a first-time seeking the office of Whatcom County Council in 2018.

The complaint alleged Carol Frazey violated RCW 42.17A.235 by: (1) failing to timely and accurately file Campaign Summary Receipts and Expenditure reports (C-4 reports); (2) failing to maintain campaign books of account and make those records available for public inspection within 10 days of an election.

PDC staff did not investigate the allegation in the complaint regarding the use of the phrase “certified by Whatcom Democrats” since the PDC does not have jurisdiction over that issue and is instead an issue between the candidate and the Whatcom County Democrats.

PDC staff reviewed the allegations listed in the complaints, the statutes, rules, and reporting requirements, the Candidate Registration (C-1 reports) and C-4 reports filed by Carol Frazey, and the response from Carol Frazey.

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

- On March 24, 2018, Carol Frazey filed a C-1 report declaring candidacy for Whatcom County Council At-Large Position B in 2018, selecting the Full Reporting option, and listing Paul Frazey as Treasurer. On Aug. 2, 2018, Carol Frazey filed an amended C-1 report disclosing a change to her treasurer from Paul Frazey to April Claxton.
- Both C-1 reports listed the email address for the public records inspection as Treasurer@carolfazey.com.
- On Aug. 7, 2018, Ms. Frazey finished as one of the top two candidates, and advanced to appear on the general election ballot.
- As of October 16, 2018, the Vote Carol Frazey Campaign (Campaign) has filed 85 initial and amended Monetary Contribution reports (C-3 reports) and 14 initial and amended Campaign Summary Receipts and Expenditure reports (C-4 reports).

Allegation #1: failure to timely and accurately report expenditures

- On July 30, 2018, the Campaign filed the 7-day Pre-Primary Election C-4 report disclosing \$1,806 in expenditures made during the period July 17 to July 30, 2018.
- On Aug. 1, 2018, the Campaign filed an amended 7-day Pre-Primary Election C-4 report disclosing \$8,883 in new orders placed owed to Cerillion N4 Partners dated July 19, 2018, with the description “campaign mailer design, print and distribution.” The Campaign added a note to the amended C-4 report stating “we had a misunderstanding

and thought that the invoice needed to be reported when paid. We are now aware that we need to report all invoices on the day that it is received.”

- In her response, Ms. Frazey stated as soon as the Campaign became aware of “its improper recording” of expenditures, they contacted PDC staff to remedy the problem, and staff advised her Campaign how to amend the C-4 reports, which was promptly done. In addition, the Campaign filed additional amended C-4 reports on August 15, 2018, further breaking down the expenditures made to Cerillion N4 Partners to include the sub-vendor information required by statute and rules.
- On Aug. 3, 2018, Ms. Frazey emailed a PDC filer assistance specialist with questions regarding how to properly report the description for a Campaign expenditure. She stated that she was provided the necessary assistance from PDC staff via e-mail the same day. She stated her Campaign followed the advice and filed amended C-4 reports listing the previously disclosed expenditures made to Felixia Santana as a vendor but changing the description of the expenditure to “Independent Contractor – Campaign Manager” instead of wages.

Allegation #2: failure to maintain campaign books of account and to make the books readily available for public inspection.

- The records provided by the Campaign indicated that Mr. Wallace made his initial request to inspect the books of account via email on Wednesday, Aug. 1, 2018 at 9:09 a.m. He sent the email to treasurer@CarolFrazey.com, which is the email address listed on the C-1 report to make an appointment to view campaign books, stating he is “triggering a request for books inspection at earliest capability” and he requested “updates on Monday, 8/6/18 in addition to my initial inspection.”
- Ms. Frazey sent an email response on Aug. 1, 2018 stating she was headed back to work but she would check with her treasurer to schedule the appointment.
- On Aug. 2, 2018, Ms. Frazey and Mr. Wallace exchanged emails concerning the time and date for facilitating the records inspection as follows: (1) Ms. Frazey stated her Campaign would meet for the inspection on Tuesday, Aug. 7, 2018 at 1 p.m. at the Whatcom County Democrat’s office in Bellingham; (2) Mr. Wallace responded by providing a link to the PDC website in his email to the information concerning the “Public Inspection of Candidate Campaign Records.” He stated that the records inspection is required to take place within 48 hours of his initial email request; and (3) Ms. Frazey replied stating “We will see you at the Whatcom Democrats Office at 215 W Holly St # B27, Bellingham on Friday, 8/3 at 9am.”
- Based on written statements from both Mr. Wallace and the Campaign, the records inspection took place on Aug. 3, 2018, which was within 48 hours of the date and time requested. The records inspection lasted approximately 25 minutes, and Mr. Wallace viewed the campaign reports on a computer screen.
- After the records inspection, Ms. Frazey sent an email on Aug. 3, 2018 at 4:59 p.m. stating “At the end of our meeting today, you agreed that it was unnecessary to meet on Monday. I will not be able to meet next week due to prior scheduled engagements, and April will be unavailable the entire week until 8/13.”
- On Aug. 4, 2018, Mr. Wallace sent an email to the Campaign at treasurer@CarolFazey.com stating he would like to inspect “the books again on Monday...This is a 48-hour request.”

- Ms. Frazey stated the Aug. 4, 2018, email from Mr. Wallace requesting another inspection on August 6 was sent to an e-mail address “not used in the current correspondence between Ms. Frazey and Mr. Wallace. As a result, Ms. Frazey did not read it until early morning Monday, August 6.”
- WAC 390-16-043 states “The inspection must be allowed within forty-eight hours of the date and time the request was made at the agreed-upon location, provided that if the request is not made by 3:00 p.m. on the third day preceding an election, the candidate or political committee need only make best efforts to accommodate the request.”
- At 10:23 a.m., Aug. 6, 2018, Carol Frazey replied to Anthony Wallace’s Aug. 4 email, suggesting a meeting to view campaign books between noon and 2 p.m. Aug. 6, 2018. Mr. Wallace responded, noting the email was sent to the address listed on Carol Frazey’s C-1 as the email listed to make an appointment to view campaign books. Anthony Wallace also indicated he was no longer available on Aug. 6, 2018.

Carol Frazey was a first-time candidate for public office in 2018, and her campaign was comprised of all volunteers, with no prior PDC violations. The Campaign made a good faith effort to comply with the PDC statutes, rules and reporting requirements, and timely filed the necessary amended reports when requested by PDC staff. In addition, Ms. Frazey facilitated the initial records inspection with the required 48 hours.

Based on this information, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1). Ms. Frazey will be reminded about the importance of filing accurate campaign finance reports for the remainder of the 2018 election cycle, including providing the proper breakdown and descriptions for expenditures, and complying with the public records inspection requirements.

If you have questions, you may contact Alice Fiman at 1-360-586-4746 toll-free at 1-877-601-2828, or by e-mail at [alice.fiman@pdc.wa.gov](mailto:alice.fiman@pdc.wa.gov)

Sincerely,

/s \_\_\_\_\_

Alice Fiman  
Compliance Officer

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