



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.pdca.wa.gov

October 18, 2018

Sent electronically to Orin Wells at owells@truthforwashington.com

Subject: Truth for Washington Complaint Return Letter, PDC Case 39125

Mr. Wells:

Enclosed is a copy of a letter sent to Joe Yates concerning three complaints he filed with the Public Disclosure Commission (PDC) on August 10, 2018. The complaint against the Truth for Washington alleged violations of RCW 42.17A.270 for failing to report earmarked contributions received from Marlyn Jensen to be used for independent expenditure on political advertisements on behalf of Candidate Boss's campaign in opposition to Michelle Caldier.

Based on staff's review of the complaint and the pertinent records submitted with the complaint, the PDC has dismissed the allegations against the Truth for Washington in accordance with RCW 42.17A.755(1) for lack of evidence.

If you have questions, you may contact me at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdcc.wa.gov.

Sincerely,

Endorsed by:

Erick Agina
PDC Compliance Officer

BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director





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October 18, 2018

Sent electronically to Joe Yates at jsph-yts31@yahoo.com

Subject: Complaint Return Letters for Marlyn Jensen (PDC Case 39122), Truth for Washington (PDC Case 39125), Working Families of King County (PDC Case 39123)

Dear Mr. Yates:

The Public Disclosure Commission (PDC) has completed its review of the three complaints you filed on August 10, 2018, against two political committees, Truth for Washington (PDC Case 39125), and Working Families of King County (PDC Case 39123), and Marlyn Jensen (PDC Case 39122) an individual. The complaints alleged that: (1) Truth for Washington (TFW), and Working Families of King County (WFKC) may have violated RCW 42.17A.270 by receiving and spending earmarked contributions from Marylyn Jensen designated to benefit Randy Boss, a 2018 candidate for State Representative in the 26th Legislative District; and (2) Marlyn Jensen may have violated RCW 42.17A.405(2) by exceeding the contribution limits to Randy Boss by earmarking contributions through TFW and WFKC for independent expenditures made in opposition of Michelle Caldier, Randy Boss's opponent.

For your information, in order to more efficiently use PDC resources, the three complaints you filed have been combined into one letter. PDC staff reviewed the statutes, rules and reporting requirements, the complaint and the exhibits submitted including all other pertinent supplemental documentation and materials, campaign finance reports filed by TFW and WFKC, and the responses from Ms. Jensen, and the treasurer for TFW and WFKC. Based on staff's review, we found the following:

Background:

- On February 18, 2018, TFW filed a C-1pc report for 2018 disclosing it was a continuing "Other" political committee, selecting the Full Reporting Option, and listing Douglas Hill, Orin Wells, and Doug Basler as committee officers. The C-1pc report disclosed TFW was affiliated with WFKC and shared the same address and officers. TFW has been registered with the PDC as a continuing political committee since April 2010.
- On February 18, 2018, WFKC filed a C-1pc report for 2018 disclosing it was a continuing "Other" political committee, selecting the Full Reporting Option, and listing Douglas Hill, Orin Wells, and Doug Basler as committee officers. The C-1pc report disclosed WFKC was affiliated with TFW and shared the same address and officers. WFKC has been registered with the PDC as a continuing political committee since July 2016.
- On September 13, 2018, TFW filed an amended C-1pc report disclosing that the committee name had been changed to Truth for Washington – Sponsor Working Families of King County to include WFKC as a sponsor.

Allegations and Findings:

- WFKC carried forward \$3,425 in 2017 surplus funds into the 2018 calendar year, and received its initial contribution in 2018 on June 1, 2018, a \$200 monetary contribution from TFW.

- Ms. Jensen made four monetary contributions totaling \$8,640 to WFKC between June 5 through July 10, 2018. In addition, WFKC received the following: (1) a \$1,500 monetary contribution from the 47th Legislative District Republicans on June 21, 2018; (2) a \$500 monetary contribution from James McAfee on June 22, 2018; (3) a \$1,000 monetary contribution from Robin Melin on June 23, 2018; and (4) \$545 in monetary contributions from six individuals.
- On September 8, 2018, WFKC filed the 2018 Post-Primary Election C-4 report disclosing \$15,810 in contributions received, and \$14,635 in expenditures made. While Ms. Jensen contributed \$8,640 to WFKC in 2018 through August 31, 2018, the amount represented 54.6 % of all contributions received by WFKC, which did not make Ms. Jensen a sponsor of WFKC.
- TFW received seven contributions from WFKC totaling \$14,400 between June 1 through July 26, 2018, which represented all of the contributions received by TFW for 2018. The only other monetary contribution received by TFW was on September 24, 2018, when the committee received a \$1,200 contribution from Jon Wasserman.
- TFW used the \$14,040 in monetary contributions received from WFKC to make independent expenditures in opposition to Michelle Caldier, the incumbent State Representative in the 26th Legislative District, and Mr. Boss's opponent.
- Your complaint indicated that Mrs. Jensen is a campaign volunteer and supporter of the 2018 Randy Boss for State Representative Campaign, and you attached an email communication between the Randy Boss campaign team concerning an anti-Caldier political advertisement sponsored by the campaign. The email string included Ms. Jensen's and she provided her input and recommendations about the ads content.

Staff reviewed the C-1 reports filed by Randy Boss for 2018 and dating back to 1996, and Ms. Jensen was never disclosed as being a committee officer or principal decision maker for any of his campaigns.

As noted above Ms. Jensen's contributions to WFKC did not make her a sponsor of the committee, and Ms. Jensen has never been listed as a Committee officer or principal decision-maker for either TFW or WFKC, nor has she been paid any committee funds as either a consultant or vendor.

Based on these findings, there was no evidence provided or found by staff indicating that Ms. Jensen earmarked, instructed or designated her contributions made to WFKC, were to be passed through to TFW and spent or otherwise used to produce independent expenditure advertisements in opposition to candidate Caldier, on behalf of the Randy Boss Campaign. The PDC has dismissed the complaints against Marlyn Jensen, Truth for Washington, and the Working Families of King County in accordance with RCW 42.17A.755(1).

If you have questions, you may contact me at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdc.wa.gov.

Sincerely,

Endorsed by:

s/_____
Erick Agina
PDC Compliance Officer

s/_____
BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director

cc: Marlyn Jensen, Truth for Washington, Working Families of King County