



**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

July 27, 2021

Delivered electronically to mrherreraforakima@gmail.com

Subject: PDC Case 94748

Dear Danny Herrera:

Below is a copy of an electronic letter sent to Kenton Gartrell concerning a complaint filed June 26, 2021 with the Public Disclosure Commission (PDC) alleging violations of RCW 42.17A.235 and .240 for failure to timely and accurately report contributions and expenditures on Monetary Contributions (C-3) reports and Full Summary Contributions and Expenditures (C-4) reports.

As noted in the letter below, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into the allegations or take further enforcement action in this matter.

Pursuant to WAC 390-37-060(1)(d), however, this letter serves as a formal written warning concerning your failure to timely report as required. Staff expects you will, in the future, timely and accurately file PDC reports and disclose contributions and expenditures as required by law.

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, contact Alice Fiman toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s

Alice Fiman
Compliance Officer

/s

Peter Lavallee
Executive Director



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July 27, 2021

Delivered electronically to kentongartrell@hotmail.com

Subject: Complaint regarding Danny Herrera, PDC Case 94748

Dear Kenton Gartrell:

The Public Disclosure Commission (PDC) completed its review of the complaint you filed June 26, 2021. The complaint alleged Danny Herrera, a 2021 candidate for Yakima City Council, Position 2, violated RCW 42.17A.235 and .240 by failing to timely and accurately report contributions and expenditures on Monetary Contributions (C-3) reports and Full Summary Contributions and Expenditures (C-4) reports.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the applicable PDC reports, the evidence provided in the complaint and a response from Danny Herrera, to determine whether the record supports a finding of one or more violations.

We found the following:

- According to PDC records, there are four candidates registered for City of Yakima Council, District 2 indicating there is a primary election for this office on August 3, 2021.
- Herrera timely registered with the PDC and filed a Personal Financial Affairs Statement (F-1) on the same day, May 30, 2021, noting a campaign start date of May 20, 2021.
- Herrera is a first-time candidate for public office.
- In response, Herrera stated “Thank you for informing me with this allegation. I have submitted my C-4 pre-primary report that reports my contributions from June 1 to July 12. I work to submit my information on a more timely manner.”
- Herrera timely filed the 21-day-pre-primary C-4 on July 13, 2021, reporting \$6,000.10 in total contributions and \$3,414.59 in expenditures to date. Herrera amended the report July 22, 2021, adding the required expenditure detail.
- In response to a PDC request, Herrera filed a C-3 report July 21, 2021 listing contributor information. The information on the C-3 report shows Herrera was required to file C-3 reports beginning June 14, 2021, 37 days prior.

Based on these findings, and the fact that Herrera is a first-time candidate, timely registered and filed his F-1 report, there is no apparent intent to conceal candidacy, and the candidate promptly took action to comply, PDC staff has determined that, in this instance, the failure to timely and accurately report contributions and expenditures does not amount to a violation warranting further investigation.

However, pursuant to WAC 390-37-060(1)(d), Danny Herrera will receive a formal written warning concerning the failure to report contributions and expenditures. The formal written warning includes staff's expectation Danny Herrera will, in the future, timely and accurately file PDC reports and disclose contributions and expenditures as required by law.

The Commission will consider the formal written warning in deciding on future 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, contact Alice Fiman toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s

Alice Fiman
Compliance Officer

/s

Peter Lavalley
Executive Director