



State of Washington  
PUBLIC DISCLOSURE COMMISSION

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September 1, 2021

Sent electronically to Glen Morgan at [glen@wethegoverned.com](mailto:glen@wethegoverned.com)

Subject: Complaint regarding WEA 4<sup>th</sup> Corner, PDC Case 96480

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 21, 2021. The complaint alleged that WEA 4<sup>th</sup> Corner, a labor organization/union representing K-12 teachers, higher education faculty and education support professionals, may have violated RCW 42.17A.255, .260 or .305 by failing to file an Independent Expenditure/Electioneering Communications report (C-6 report) disclosing a mailer it sponsored in support of a candidate.

PDC staff reviewed your allegation(s); the applicable statute(s), rule(s), and reporting requirements; and the August 10, 2021, response to the complaint provided by Michael Gawley, General Counsel, on behalf of WEA 4<sup>th</sup> Corner.

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

***Alleged violation of RCW 42.17A.255, .260 and .305 for failure to file an Independent Expenditure/Electioneering Communications (C-6) report disclosing a mailer in support of a candidate.***

- The complaint alleged that WEA 4<sup>th</sup> Corner failed to report an independent expenditure for a mailer they sponsored in support of Rebecca Lewis, a candidate for Whatcom County Council in the 2021 election year.
- Staff noted that WEA 4<sup>th</sup> Corner was not required to file an independent expenditure (C-6) report. Based on all the materials reviewed in this case, including copies of internal emails from WEA 4<sup>th</sup> Corner showing the process of cross matching its internal email distribution list to ensure that only WEA/WEA 4<sup>th</sup> Corner members received the mailer, it appears that Ms. Lewis erroneously stated that WEA 4<sup>th</sup> Corner sent a mailer supporting her to all district three voters when she stated: "And to my surprise, WEA sent this out to all District Three Voters!" The mailer was sent exclusively to the WEA 4<sup>th</sup> Corner members only as an internal member political communication. Under the current statutory scheme (see RCW 42.17A.005(30)(b)), such internal member political communication that is limited to contributors

to a labor organization, is not considered an independent expenditure and as such was not required to be reported to the PDC.

- In its responses to this allegation, received on August 10, 2021, the Committee, by way of its general counsel, Michael Gawley, stated: “Mr. Morgan relies, exclusively, upon a screen-shot of an online post apparently posted by Ms. Lewis, in which she erroneously states that: “And to my surprise, WEA sent this out to all District Three Voters!” Further stating that: Neither WEA, nor WEA 4<sup>th</sup> Corner did any such thing. Rather, WEA 4<sup>th</sup> Corner sent the mail piece at issue exclusively to its members as internal member political communications are perfectly lawful; do not result in any form of reporting obligation, and constitute neither an independent expenditure, electioneering communication, nor contribution to the candidate.”

Based on staff’s review of the documentation submitted with the complaint, and the written response and attachments provided by WEA 4<sup>th</sup> Corner, no evidence was found to substantiate violation(s) of RCW 42.17A.255, .260 and .305.

PDC staff has therefore determined that, in this instance, no evidence supports a finding of a violation that warrants further investigation.

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 Erick Agina, Compliance Officer at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

Endorsed by:

s/\_\_\_\_\_  
Erick Agina, Compliance Officer

s/\_\_\_\_\_  
Kim Bradford, Deputy Director for  
Peter Lavalley, Executive Director

cc: Michael Gawley, General Counsel – WEA 4<sup>th</sup> Corner