



State of Washington  
**PUBLIC DISCLOSURE COMMISSION**

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March 1, 2023

Delivered electronically to "jackcsorensen@gmail.com"

Subject: Complaint regarding Washington Citizens for Liberty, PDC Case 99327

Dear Jack Sorensen:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 6, 2023. Your complaint alleged that Washington Citizens for Liberty, for its activities concerning Central Valley School District (CVSD) Board Positions, may have violated RCW 42.17A.205, .235, and .240 by failing to register and report as a political committee; RCW 42.17A.320 by failing to include sponsor identification on political advertising; and RCW 42.17A.255, .260, and .305 by failing to disclose independent expenditures or electioneering communications.

**RCW 42.17A.205** requires candidates and political committees to file a statement of organization within two weeks of first having an expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier, or within three business days if the expectation or expenditures occur within three weeks of the election.

**RCW 42.17A.235** and **.240** require candidates, single election political committees, and continuing political committees to file timely, accurate reports of contributions and expenditures. Under the full reporting option, until five months before the general election, C-4 reports are required monthly when contributions or expenditures exceed \$200 since the last report. C-4 reports are also required 21 and 7 days before each election in which the committee makes expenditures, and in the month following the election. Contributions are reported weekly during this same time period and must be disclosed on Monday for contributions deposited during the previous seven days.

**RCW 42.17A.320** requires all written political advertising, whether relating to candidates or ballot propositions, to include the sponsor's name and address.

PDC staff reviewed your allegations; the applicable statutes and rules; the responses provided by Washington Citizens for Liberty; and other relevant information, to determine whether the record supports a finding of one or more violations. After completing its initial review and assessment of your complaint, and other complaints concerning Washington Citizens for Liberty, PDC staff opened a formal

investigation and held an initial hearing (also referred to as a case status review) on December 17, 2021, pursuant to RCW 42.17A.755, and WACs 390-37-060 and 390-37-071.

As a result of the investigation, staff found the following:

**Sponsor Identification (RCW 42.17A.320)**

- On or around September 24, 2021, a political advertising flyer was distributed in Central Valley School District (CVSD) neighborhoods advocating for the election of Pam Orebaugh to CVSD Board Position 5, and Bret Howell to CVSD Board Position 2, as a write-in candidate.
- The two-sided flyer explicitly asked the reader to elect Pam Orebaugh and Bret Howell to the respective CVSD board positions.
- The flyer also included the platforms of both candidates and a statement about Washington Citizens for Liberty and its mission.
- Washington Citizens for Liberty filed its Articles of Incorporation with the Washington Secretary of State's Corporations & Charities Division on August 24, 2021 as a charitable organization. The purpose of the corporation was listed as "Charitable organization established to assist and support Washington State citizens when faced with challenges to or infringement of fundamental constitutional and legal rights, freedoms and liberties which they are entitled as citizens or legal residents of the United States of America."
- The Registered Agent was listed as Robert (Rob) Linebarger. The initial board of directors included Robert Linebarger, Pam Orebaugh, and Natalie Gauvin. Robert Linebarger was listed as the entity's incorporator. The Articles of Incorporation were later amended to remove Pam Orebaugh and Natalie Gauvin as board members.
- Rob Linebarger stated Washington Citizens for Liberty was not involved with and did not sponsor the flyer distributed on or around September 24, 2021 or the postcard titled, "Not your Mama's PTA!"
- Pam Orebaugh stated the "Not your Mama's PTA!" postcard, which expressed support for Pam Orebaugh and Bret Howell, was designed and purchased by a "concerned grandma" without Ms. Orebaugh's knowledge or approval.
- Staff confirmed that Shannon Balmes sponsored the "Not your Mama's PTA!" postcard. Ms. Balmes stated she spent \$30 at Vista Print to print around 100 postcards. Ms. Balmes stated she gave a few postcards to an apartment complex near where she lives but was then advised all advertising in support of the candidates needed to go through the candidates' campaigns, so she destroyed the remaining postcards. Ms. Balmes said she was unaware of the requirement to include her name and address on the postcards as the sponsor. Ms. Balmes said she had nothing to do with printing the separate flyer that supported Pam Orebaugh and Bret Howell.
- Mr. Linebarger denied that Washington Citizens for Liberty sponsored the separate flyer supporting Pam Orebaugh and Bret Howell. Mr. Linebarger stated Washington Citizens for Liberty has many citizen followers and has no control over if or when a private citizen who agrees with the group's values and principles visits the public website, captures information from the site, and creates material in support of a movement or candidate.
- PDC staff was unable to determine who sponsored the separate flyer.

**RCW 42.17A.205, .235 and .240**

- One of the purposes of Washington Citizens for Liberty was to engage in an effort to recall one or more school board members in CVSD in Spokane Valley, Washington. In September 2021, Washington Citizens for Liberty sent out a "9/11 Remembrance" solicitation that included, in part, an appeal for funds to pay for the recall effort.

- Staff determined contributions received during the 18-day period September 11, 2021 to September 28, 2021 were for the purpose of supporting the expected recall effort. The contributions received during this period totaled \$2,725.
- Even though the courts did not approve the recall petition, because Washington Citizens for Liberty had an expectation of engaging in a recall campaign, PDC staff asked the entity to register a political committee and report the contributions totaling \$2,725. Because some of these contributions exceeded \$500, staff determined Washington Citizens for Liberty was required to register under the Full Reporting Option.
- On December 9, 2022, Washington Citizens for Liberty registered a political committee under the name, "Washington Citizens for Liberty 1<sup>st</sup> Amendment Protection Committee." On January 2, 2023, the committee reported the receipt of \$2,725 in contributions. Because the recall petition was not approved by the court, the contributions were donated to Washington Citizens for Liberty.
- The C-3 report of contributions did not include the employer and occupation information for contributors giving over \$100. Mr. Linebarger stated he had limited contact information for the contributions made during the period September 11-29, 2021.
- No evidence was found that Washington Citizens for Liberty engaged in sponsoring independent expenditures or electioneering communications requiring reporting under RCW 42.17A.255 or .305, and .260.

After a careful review of the alleged violations and relevant facts, PDC staff has concluded its investigation and determined that in this instance:

Concerning the alleged failure to register and report as a political committee, in accordance with RCW 42.17A.205, 235, and .240, in support of its expectation to support the recall of CVSD board members, neither the failure to timely register and report as a political committee nor the failure to report employer and occupation information for individuals contributing more than \$100 in the aggregate amounts to a violation warranting formal enforcement action.

However, pursuant to WAC 390-37-060(1)(d), Washington Citizens for Liberty, and its political committee Washington Citizens for Liberty 1<sup>st</sup> Amendment Protection Committee, will receive a formal written warning concerning its failure to timely register and report its political committee activities, including its failure to report the employer and occupation information for individuals contributing over \$100 in the aggregate. The formal written warning will include staff's expectation that Washington Citizens for Liberty and its political committee Washington Citizens for Liberty 1<sup>st</sup> Amendment Protection Committee timely register and report all future reportable activity. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules. Based on this information, these allegations are dismissed in accordance with WAC 390-37-070 and RCW 42.17A.755(1).

Concerning the alleged failure to include Sponsor Identification, in accordance with RCW 42.17A.320, on a flyer and postcard supporting Pam Orebaugh and Bret Howell in their 2021 campaigns for CVSD Board Positions, Washington Citizens for Liberty did not sponsor the postcard and no evidence was found that they sponsored the separate flyer. Based on this information, these allegations are dismissed in accordance with RCW 42.17A.755(1).

Concerning the alleged failure to report independent expenditures and electioneering communications, in accordance with RCW 42.17A.255, .260, and .305, no evidence was found that Washington Citizens for

Liberty sponsored independent expenditures or electioneering communications. Based on this information, these allegations are dismissed in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Phil Stutzman at 360-664-8853, toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,  
*Electronically Signed Philip E. Stutzman*  
Phil Stutzman  
Compliance Officer

Endorsed by,  
*Electronically Signed Peter Frey Lavalley*  
Peter Frey Lavalley  
Executive Director

cc: Rob Linebarger, Washington Citizens for Liberty