

Response to Complainant's Letter dated August 24, 2023

re: PDC Case #140213

I am writing to respond to the above-mentioned letter.

1) "The public has an established present interest in disclosure related to efforts to qualify ballot propositions."

The main thrust of this allegation appears to be that the committee has an obligation to file with the PDC. We have never contested this and we have regularly filed C3 and C4 reports pursuant to the applicable deadlines.

2) "Let's Go WA cannot avoid disclosure by relying on in-kind contributions."

We have already addressed this allegation in our last response. We are not attempting to "avoid disclosure". We have disclosed a brief description of in-kind contributions received by the committee pursuant to the PDC's guidance, which I cited in my last response.

3) "Let's Go WA has failed to adequately report the ballot proposition(s) supported by specific in-kind expenditures."

We have already addressed this allegation in our last response. The allegations here relate to in-kind contributions and not expenditures. We have disclosed a brief description of in-kind contributions received by the committee pursuant to the PDC's guidance, which I cited in my last response. Moreover, even if the agency adopted the view that in-kind contributions were reportable as expenditures, WAC 390-16-037 **specifically** contemplates that a committee may support more than one ballot measure as a time, as indicated in the language of the WAC when it uses the phrase "ballot proposition(s)". Even if that rule was given the most liberal constructions possible it could not be interpreted in a way that directly contradicts its own plain language.

4) "Let's Go WA has failed to adequately report work performed by Research Mom."

We have already addressed this allegation in our last response. Ms. Hanek communicated to me the fact that her business was named RM Consulting Service. I reported it as such. I was not aware that her business was officially registered as "Research Mom Consulting Services." There are many businesses/sole proprietorships that have acronyms in their "DBA" tradename but are registered as different entities. Campaign treasurers must necessarily rely on the information that is reported to them by others to file accurate reports.

5) "Let's Go WA has failed to adequately report work performed by TDM Strategies."

Whether or not LGW had incurred a reportable debt in the month of June is open to interpretation. The exact date the obligation occurred in June (if there was any obligation in June at all) is also open to interpretation. However, in the interest of resolving this issue, we amended our June report to include a debt to TDM and listed the 30th as the date incurred.

6) “Let’s Go WA has failed to adequately report planned spending.”

The main thrust of this allegation appears to be that the complainant believes we are not reporting pledges received by the committee. We have already addressed this allegation in our last response. However, I will note that TDM Strategies has been billing LGW for the services that it renders to LGW, and we have been reporting this. Going forward, this bill will be paid out of LGW’s bank account.

7) “Brian Heywood is sponsoring multiple committees supporting the same ballot propositions, in violation of RCW 42.17A.205(5).”

The agency clarified the requirement contained in RCW 42.17A.205(5) on its website.¹

The agency’s website guidance states that: “[a] person may sponsor only one political committee for the same elected office or same ballot measure per election cycle. **In other words, two committees who have the same sponsor may not contribute to the same candidate or ballot measure committee.**” [emphasis added]

Here, neither of the committees referenced by the complainant (Taxpayers Accountability Alliance & Safer Streets for All) have contributed to the same candidate or ballot measure committee. The bank accounts for both committees have now been closed out.

Over the life of these committees, Mr. Heywood provided only nominal amounts of money to these committees to cover administrative expenses.

Since both of these committees have been closed, we believe there is no further action we have to take in response to this allegation. However, in the event that the PDC believes we need to take some corrective action here in response to this allegation, and the agency provides a basis for that conclusion, we are happy to take corrective action.

Sincerely,

Conner Edwards
Campaign Treasurer
Let’s Go Washington - 2023

¹ <https://pdc.wa.gov/rules-enforcement/guidelines-restrictions/political-committee-sponsor>