



**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.pdcc.wa.gov

October 30, 2023

Delivered electronically to Safe Schools Safe Communities at
“compliance@bluewavepolitics.com”

Subject: Complaint filed by Glen Morgan, PDC Case 141108

Dear Safe Schools Safe Communities:

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint filed with the Public Disclosure Commission (PDC).

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

However, pursuant to WAC 390-37-060(1)(d), this serves as a formal written warning concerning your failure to comply with the filing requirements noted in the enclosed letter sent to Mr. Morgan. Staff expects you to accurately and timely file all required reports of contributions and expenditures, including debts owed, in future years. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Peter Frey Lavalley
Executive Director



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October 30, 2023

Delivered electronically to Glen Morgan at “glen@wethegoverned.com”

Subject: Complaint regarding Safe Schools Safe Communities, PDC Case 141108

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 31, 2023. The complaint alleged that Safe Schools Safe Communities, a continuing political action committee registered with the PDC during calendar year 2019, may have violated RCW 42.17A.235 & .240: (1) for failure to accurately identify occupation & employer information for individual contributors; (2) for failure to accurately disclose campaign debt; and (3) for failure to disclose in-kind contributions on Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports).

PDC staff reviewed the allegations and supporting documentation; the applicable statutes, rules, and reporting requirements; the response provided by Ministerial Treasurer, Jay Petterson, on behalf of the Respondent; the applicable PDC reports filed by the Respondent; and queried the Respondent's data in the PDC contribution and expenditure database, and other relevant information, to determine whether the record supports a finding of one or more violations.

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

- During calendar year 2019, Safe Schools Safe Communities (SSSC) was registered with the PDC as a continuing political action committee under the “Full Reporting” option.

Allegation One: Failure to accurately identify occupation & employer information for individual contributors

- The complaint alleged that SSSC accepted \$1,775 in total contributions from eight individual donors without disclosing the required occupation and employer information.
- From August 22, 2018, to October 12, 2018, SSSC received contributions from eight individuals giving more than \$100 in the aggregate and did not disclose the required occupation and employer.
- RCW 42.17A.240 requires disclosure of the name and address of each person who has made one or more contributions during the period, together with the money value and date of each contribution and the aggregate value of all contributions received from each person during the campaign, or in the case of a continuing political committee, the current calendar year.
- WAC 390-16-034 requires the occupation, and the name and location (city and state) of the employer of each person who has made one or more contributions in the aggregate amount of more than \$100.

- In the response, Mr. Petterson noted that the eight donations included in the allegation accounted for a small percentage of the \$5.5 million dollar campaign and stated that the campaign used its best efforts to collect this information from donors.

Allegation Two: Failure to accurately disclose campaign debt

- The complaint alleged that on the C-4 report covering June 1 to 30, 2019, SSSC reported debts in the amount of \$246,429.29 still owed and asserted that the debts were likely forgiven and not reclassified as in-kind contributions from the vendors. The complaint did not include evidence, beyond assumption, proving this allegation.
- RCW 42.17A.235(9)(a) requires disclosure of the name and address of any person and the amount owed for any debt with a value of more than seven hundred fifty dollars that has not been paid for any invoices submitted, goods received, or services performed.
- In his response, Mr. Petterson stated that SSSC had reported all debts and in-kind contributions and that there had been no changes in the status of these items.

Allegation Three: Failure to disclose in-kind contributions

- The complaint alleged that SSSC failed to properly disclose in-kind contributions, specifically vendor or sub-vendor name, address, & description of good or service provided.
- As evidence, the complaint included PDC Staff guidance regarding the recommended reporting of in-kind contributions received by a campaign.
- While PDC Staff encourages more complete disclosure of vendor addresses in the description field for in-kind contributions, the law does not strictly require it. In addition, the PDC's ORCA (Online Reporting of Campaign Activity) software available for use in calendar years 2018 and 2019, lacked the vendor breakdown and lengthy text entry capabilities included in the current version.
- In his response, Mr. Petterson stated that SSSC had reported all debts and in-kind contributions and that the character limitation of the ORCA program at the time truncated the reported descriptions.

It appears that although SSSC did fail to include the required occupation and employer information for a small number of individual donors giving more than \$100 in the aggregate, the committee made reasonable attempts to obtain this information. All eight of the contributions were received more than five years ago rendering them outside of the statute of limitations for enforcement action.

During its investigation, staff noted that most of the debts still owed on the June 2019 C-4 report were now beyond the statute of limitation, but there were five that were not. Of those five, staff found that the descriptions were lacking in detail in some instances, specifically the November 1 and 30, 2018, entries for vendor Alliance for Gun Responsibility with the description "expense reimbursement" without identifying any information about the original expense. Although the description is deficient, due to the amount of time passed since this activity, the limitations of ORCA as previously described and the nominal impact on the public today, staff did not request SSSC to amend these entries as part of the resolution of this matter.

Staff found no evidence that the \$246,429.29 in reported debt was required to be reallocated as in-kind contributions solely based on the amount of time the debt has been outstanding. In regard to the lack of the detailed disclosure of debt and in-kind contributions as recommended on the

PDC website, staff recognizes that this is guidance meant to foster transparency and not strictly required by law. Regarding allegations one and three, staff found no evidence that the omissions of occupation and employer information and the lack of detailed description for vendors were done intentionally to mislead the public.

Based on our findings staff has determined that, in this instance, failure to accurately disclose descriptions for vendor debts in a few instances, does not amount to a finding of a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, Safe Schools Safe Communities will receive a formal written warning concerning failure to disclose detailed descriptions for vendor debts. The formal written warning will include staff's expectation that SSSC timely and accurately files all future required reports of contributions and expenditures. 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, the PDC finds that no further action is warranted and has dismissed all allegations in this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

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Peter Frey Lavalley
Executive Director

cc: Safe Schools Safe Communities