



**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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdcc.wa.gov](http://www.pdcc.wa.gov)**

October 10, 2023

Delivered electronically to Dontae Payne at [dontae4olympia@gmail.com](mailto:dontae4olympia@gmail.com)

Subject: Complaint filed by Glen Morgan, PDC Case 141228

Dear Dontae Payne:

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 following 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, per WAC 390-37-060(1)(d), this serves as a formal written warning concerning your failure to timely and accurately disclose contributions and expenditures on Cash Receipts, Monetary Contributions (C-3) and Receipts and Expenditure Summary (C-4) reports for the 2021 and 2023 campaigns and your failure to disclose spousal information on the Personal Financial Affairs Statement (F-1) reports for years 2020, 2021, and 2022. Staff expects you to follow all reporting requirements moving forward. If violations of PDC laws or rules occur in the future, the Commission will consider this formal written warning in deciding on further Commission action.

If you have questions, you may contact Tanya Mercier at 1-360-586-4746 toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

/s/ Electronically signed

Tanya Mercier  
Compliance Officer

Endorsed by,

/s/ Electronically signed

Peter Frey Lavallee  
Executive Director



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October 10, 2023

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

Subject: Complaint against Dontae Payne, PDC Case 141228

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review and assessment of the complaint you filed on August 11, 2023. The complaint alleged that Dontae Payne, a candidate for Mayor of City of Olympia, may have violated RCW 42.17A.235, .240 and .710 and WAC390-16-037 by failing to timely and accurately disclose contributions and expenditures on Cash Receipts, Monetary Contributions (C-3) and Receipts and Expenditure Summary (C-4) reports for the 2021 and 2023 campaigns and failing to disclose spousal information on the Personal Financial Affairs Statement (F-1) reports for years 2020, 2021, and 2022.

PDC staff reviewed the allegation(s); the applicable statutes, rules, and reporting requirements; the response(s) provided by the Respondent; the applicable PDC reports filed by the Respondent; 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:

- Dontae Payne is a second time candidate running for elected office and is currently a City of Olympia Council Member. Mr. Payne filed a Candidate Registration (C-1) on December 15, 2022, for the 2023 General Election in which he is campaigning for the City of Olympia position of Mayor. The campaign start date was December 15, 2022, and a declaration of candidacy was filed on May 15, 2023.
- Mr. Payne filed a Personal Financial Affairs Statement (F-1) on July 11, 2021, for the period 1/30/20 – 1/29/21, on March 27, 2022, for the period 1/1/21-12/31/21, and April 3, 2023, for period 1/1/22-12/31/22. In response to the complaint, on August 31, 2023, all the F-1 were amended to include their spouse's income.
- Mr. Morgan's spreadsheet, as provided in the complaint, is correct about number of days late for the identified 2021 C-3s. The C-4 shown for February 1, 2021, was filed timely on 3/10/21 and then amended on 3/22/21 to correct expenditures by (+) \$21.00 which reflects the purchase of an order of checks from Timberland bank. The threshold for reporting activity was \$50 prior to April 1, 2023.

- Regarding Mr. Morgan's spreadsheet for the 2023 C-3 and C-4 filings, the noted C-3s are correctly identified as being late and the days late is correct. For the noted C-4s:
  - The January 2023 report was filed timely on 2/10/23 and then amended on 3/11/23 to correct expenditures by (+) \$350 for management & consulting services. The threshold for reporting activity was \$50 prior to April 1, 2023.
  - The February and April 2023 reports are correctly identified as late, and the number of days is correct.
  - The May 2023 report was filed twenty-five days late.
  - The June 2023 report was filed one day late on 7/12/23 and amended on 7/17/23 to correct in-kind contributions and expenditures by (+) \$201 from Washington Progressive Alliance for staff time. This report was amended a second time on 8/23/23 to add (+) \$160 of non-itemized expenses. The threshold for reporting activity was \$200 after April 1, 2023.
- Amendments are insufficient evidence of late reporting. There are many reasons a committee might amend their reports and the mere presence of an amendment is not itself conclusive evidence of a violation. When considering C-3 and C-4s, these report amendments require inspection of the actual report to figure out whether the committee has a requirement to report activity by a given date. As well, deciding if a report is late is not as simple as calculating the days late based on a periodic reporting timeline and when a report was filed but is rather fact specific to the campaign and its activities.
- The campaign did on multiple occasions fail to supply adequate description of expense purpose as required by WAC 390-16-037. With the various amendments filed, following the complaint, those expense descriptions have been corrected.
- The 2023 Mayoral campaign filing fee of \$337.46 was missing from the May reporting and was corrected on August 31, 2023, with amendment #110169135.
- Dontae Payne, in his response to the complaint, stated: "I assure that I have in no way intentionally denied or concealed information for either of my campaigns .... All errors were mistakes or oversights on the part of my campaign treasurer, which I take responsibility for since they are employed by my campaign."
- The Respondent does not have other similar warnings or violations of PDC requirements.

Although the campaign showed a pattern of inadequate reporting and filing C-3 and C-4 reports late, the campaign has remedied the issues named in the complaint. Based on our case review, in this instance, staff has determined that failure to timely and accurately show contributions and expenditures on C-3 and C-4 reports and failure to disclose spousal information on the F-1 reports does not amount to a finding of a violation that calls for further investigation.

Pursuant to WAC 390-37-060(1)(d), however, Dontae Payne will receive a formal written warning concerning their failure to timely and accurately disclose contributions and expenditures on Cash Receipts, Monetary Contributions (C-3) and Receipts and Expenditure Summary (C-4) reports for the 2021 and 2023 campaigns and their failure to disclose spousal information on the Personal Financial Affairs Statement (F-1) reports for years 2020, 2021, and 2022. The formal written warning will include staff's expectation that Mr. Payne follow all reporting requirements moving forward. If violations of PDC laws or rules occur in the future, the Commission will consider this formal written warning in deciding on further Commission action.

Based on this information, the PDC finds that no further action is necessary and has dismissed this matter per RCW 42.17A.755(1).

If you have questions, you may contact Tanya Mercier at 1-360-586-4746 toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov).

Sincerely,

/s/ Electronically signed

Tanya Mercier  
Compliance Officer

Endorsed by,

/s/ Electronically signed

Peter Frey Lavalley  
Executive Director

cc: Dontae Payne