



**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.pdc.wa.gov](http://www.pdc.wa.gov)**

March 11, 2024

Delivered electronically to [grandcrossing253@yahoo.com](mailto:grandcrossing253@yahoo.com), Danielle Franco-Malone at [franco@workerlaw.com](mailto:franco@workerlaw.com) and Juliana DeFilippis at [defilippis@workerlaw.com](mailto:defilippis@workerlaw.com)

Subject: Complaint filed by Glen Morgan, PDC Case 141453

Dear Franklin County Democratic Central Committee:

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 Glen 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.

Pursuant to WAC 390-37-060(1)(d), however, 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. In the future, PDC staff expect you to timely and accurately file *Campaign Summary Receipts & Expenditures* reports (C-4 reports) and *Cash Receipts, Monetary Contributions* reports (C-3 reports). The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

PDC staff is also reminding you about the importance of 1) disclosing the name and address of the vendor from whom a contributor purchased an item or service that is given to the committee as an in-kind contribution (on C-4 reports); and 2) submitting amended reports within 21 days of the original reports, whenever possible. PDC staff expects that, in the future, you will timely and accurately disclose the above information in accordance with PDC laws and rules or guidance.

If you have questions, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

Electronically signed Tabatha Blacksmith  
Tabatha Blacksmith  
Compliance Officer

Endorsed by,

Electronically signed Peter Frey Lavallee  
Peter Frey Lavallee  
Executive Director



**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.pdcca.wa.gov](http://www.pdcca.wa.gov)**

March 11, 2024

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

Subject: Complaint regarding Franklin County Democratic Central Committee, PDC Case 141453

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on August 16, 2023. The complaint alleged that Franklin County Democratic Central Committee, a bona fide democratic county party continuing political committee, may have violated RCW 42.17A.235 and .240 by failing to timely and accurately file *Cash Receipts Monetary Contributions* reports (C-3 reports) and *Campaign Summary Receipts & Expenditures* reports (C-4 reports) disclosing contributions and expenditures for election years 2019-2023, including vendor name and address for in-kind contributions.

PDC staff reviewed the allegations and evidence you submitted; the applicable statutes, rules, and reporting requirements; the response provided by Franklin County Democratic Central Committee (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:

- Every political committee is required to register with the PDC pursuant to RCW 42.17A.205 by filing a *Committee Registration* (C-1pc report). A committee that selects the Full Reporting option on its C-1pc report is required to report contributions and expenditures to the PDC on *Cash Receipts Monetary Contributions* reports (C-3 reports) and *Campaign Summary Receipts & Expenditures* reports (C-4 reports) pursuant to [RCW 42.17A.235](#) & [RCW 42.17A.240](#). The due dates for these reports are based upon the election cycle, the committee's election participation, and its financial activity.
- Pursuant to RCW 42.17A.240(2), C-4 reports must include, but are not limited to, the name and address of each person<sup>1</sup> who contributed more than \$100<sup>2</sup> during the period

---

<sup>1</sup> "Person" includes "an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized." [RCW 42.17A.005\(39\)](#)

<sup>2</sup> Per [WAC 390-05-400](#), this dollar amount increased from \$25 to \$100 effective April 1, 2023.

covered by the report; and the value and date of each contribution. “Contribution<sup>3</sup>,” as defined, includes an in-kind contribution.

- Pursuant to RCW 42.17A.235(10), amended reports should be submitted within 21 days of filing the original report. If there is no pending complaint about the report being amended and it meets the conditions set forth in .235(10)(a) through (d), it is not evidence of a violation to submit an amended report within 21 days of the original report.
- In its September 22, 2023 response to the complaint, the Respondent said the committee lost several longtime Board members, including its Treasurer and Secretary, in 2019-2021, along with their institutional knowledge. The committee indicated they appointed a permanent Treasurer in 2022 (Diane McDaniel) who immediately worked to restore full compliance. They stated the new Treasurer reached out to PDC staff to obtain access to the committee’s prior ORCA (online filing system) records, filed past due reports, and attended the PDC’s ORCA training.
  - The Respondent also said most of the reports you identified as “extremely late” were good-faith amendments filed to address oversights after they were discovered and are proof of the committee’s diligent efforts come into compliance.
  - In response to your allegation that the committee failed to report vendor name and address for in-kind contributions, the committee asserted that the public impact of failing to identify the vendor of a cake, drinks and gift cards is hardly significant, but they have nonetheless taken the remedial measure of amending their reports to include this information.
  - The Respondent listed seven mitigating factors they believe are relevant to this case and merit an alternative response or warning letter: 1) noncompliance was the result of a good-faith error, omission or misunderstanding; 2) the impact of noncompliance on the public was minimal; 3) the committee is relatively unsophisticated or small; 4) total expenditures were relatively modest; 5) the amount and duration of late-reported activity was small in proportion to the amount of activity that was timely reported; 6) there is no evidence that any person, entity or organization benefitted politically or economically from noncompliance; and 7) the Respondent quickly took corrective action when noncompliance was brought to their attention.
- A Case Status Review (Initial Hearing) was held for this case on November 15, 2023. Ana Ruiz, the committee’s Chair, and Jake Dorsey attended the hearing remotely.
- The Respondent does not have previous warnings/violations from the PDC that occurred within the past five years (statute of limitations).

---

<sup>3</sup> [RCW 42.17A.005\(15\)\(a\)](#) defines a “contribution” to include a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds or anything of value, including personal and professional services for less than full consideration. [WAC 390-05-210\(1\)](#) further defines “contribution” to include, but not be limited to, furnishing services, property, or rights on an unequal basis or at less than fair market value for the purpose of assisting any candidate or political committee, and refers to the latter as an “in-kind contribution.”

### Allegation: Late Reporting (2019-2023)

- Your complaint alleged the Respondent filed late C-3 & C-4 reports for election years 2019-2023. The following findings concern the 76 (original) reports you alleged were late, as identified on the spreadsheet filed with your complaint:
  - Three C-4 reports for **2019** were each filed 1 day late, including one 7-day pre-Primary C-4 report that was filed before the election. The bulk of expenditures made by the committee in 2019 appear to be event-related or operating expenses, including a fundraiser. The committee made four contributions to political committees, three of which were event related (Benton County Fair booth, Bill Grant dinner). According to their reports, the committee did not make contributions to candidates or sponsor political advertising supporting or opposing candidates or ballot propositions in election year 2019.
  - Eighteen C-3 reports for **2019** were filed 1-387 days late. Nine of these C-3 reports disclosed minimal contribution activity, including four deposits of \$50 or less and five deposits of \$25 or less.
  - Three C-4 reports in **2020** were filed 1, 3 and 44 days late respectively, including one 7-day pre-Primary C-4 report and one 7-day pre-General C-4 report. The 7-day pre-General election report (covering 10/13/20-10/26/20) was submitted after the election but, according to the report, the committee did not have any contributions or expenditures to disclose. According to their reports, about half of the committee's expenditures (\$2,500) were comprised of contributions made to five candidates (Kim Lehrman, Danielle Garbe Reser, Ana Ruiz Ramirez, Carly Coburn, and Frances Chvatal). The committee did not contribute to political committees or sponsor political advertising supporting or opposing candidates or ballot propositions in election year 2020.
  - Four C-3 reports for **2020** were filed 1-21 days late. Two of the four C-3 reports disclosed minimal contribution activity, including deposits of \$10 and \$15.
  - Eleven monthly C-4 reports for **2021** were filed 1-154 days late, four of which covered pre-Primary or pre-General election reporting periods. Nine of the eleven C-4 reports disclosed minimal expenditure activity of \$50 or less, including one monthly report (for January) where no contributions or expenditures were reported. Seven of the eleven reports disclosed minimal contribution activity, including one \$25 deposit and six reports where the committee did not receive any contributions. According to their reports, the committee made an expenditure of \$1,181.94 for printing/bulk mail postcards in June but did not otherwise spend funds on political advertising, candidates, or political committees in election year 2021.
  - Twenty-seven C-3 reports for **2021** were filed 10-340 days late. Nine of these reports reflected minimal contribution activity of \$50 or less, including one report where the committee had no deposits to disclose.

- Seven C-4 reports for **2022** were filed 18-124 days late, including one 21-day pre-Primary C-4 report and one 7-day pre-Primary C-4 report that were submitted after the election. Six of the seven reports reflected minimal expenditure activity of \$50 or less and/or no contributions received, including one monthly report (for March) where the committee did not have any contributions or expenditures to disclose. The bulk of expenditures made by the committee in 2022 appear to be operating expenses. The committee made two contributions to a candidate (Lindsey Keesling) but did not expend funds on political committees or political advertising in election year 2022.
- One C-3 report for **2022** disclosing a \$100 contribution deposit was filed 47 days late.
- One monthly C-4 report for (January) **2023** was filed 28 days late. The expenditure activity disclosed on this report was minimal (less than \$8).
- One C-3 report for **2023** was filed one day late.
- You alleged an additional 90 amended C-3 and C-4 reports for election years 2019-2021 were late but did not provide any other details. Please be aware that the content and timing of amended reports determine whether they are late.

For example, if the underlying original report was timely submitted, the amended report is submitted within 21 days of the original, and the other requirements set forth in .235(10)(a) through (d) are met, no violation has occurred. The content of a report (or the lack thereof) may also be a determining factor. For example, the lateness of an amended report might be mitigated if no substantive changes were made.

Approximately 64 of the 90 allegedly late reports appear to have been amended more than 21 days after the original report was filed, although no specific allegations were made in your complaint indicating what changed on the amended reports that made them late.

#### C-4 Election Reports (2023)

The Respondent's pre-election and post-election C-4 reports for 2023 were timely filed.

#### Allegation: Missing Vendor Name & Address for In-kind Contributions (2022 & 2023)

- Your complaint specifically alleged that the Respondent failed to disclose the name and address of the vendors from whom three in-kind contributions were purchased:
  - On its 7-day pre-General C-4 report (110123746) filed 11/1/2022, the Respondent reported an in-kind contribution valued at \$50 made by Ana Ruiz Kennedy on 10/21/2022. The Respondent amended the C-4 report on 9/6/2023 to include the missing vendor details ([amended report 110170369](#))

- On its 21-day pre-Primary C-4 report (110158489) filed 7/11/2023, the Respondent reported two in-kind contributions valued at \$70.73 and \$104, contributed by Diane McDaniel and Pamela Gaudet respectively on 6/24/2023. The Respondent amended the C-4 report on 9/6/2023 to include the missing vendor details ([amended report 110170359](#))
- PDC records show that no in-kind contributions were disclosed by the committee in 2019, 2020 & 2021 and no other in-kind contributions, except those indicated above, were reported in 2022 & 2023.
- It should be noted that PDC guidance concerning in-kind contribution details on C-4 reports and the way in which this information is disclosed in ORCA have changed over time. In our guidance, PDC staff encourages filers to disclose vendor address in the description field for in-kind contributions.

#### Additional Information

Noncompliance for election years 2019-2021 appears to have been the result of good-faith omissions that occurred after the committee's experienced officers and board members left the organization, including its Treasurer. The relatively small and unsophisticated committee reported modest total expenditures for election years 2021 and 2022 and several of its late reports disclosed minimal contribution and expenditure activity, partially reducing the public impact of noncompliance.

The committee amended a significant number of reports for election years 2019-2021. The amendments made to 2021 reports appear to coincide with the committee's appointment of a new Treasurer in 2022. It is worth noting that the timeliness of the Respondent's reports for election year 2023 is greatly improved over prior years.

The committee's late pre-Primary C-4 reports for 2019 and 2020 and late pre-General C-4 report for 2020 are mitigated by the facts that the reports 1) were filed before the election; or 2) did not contain any contributions or expenditure activity, and therefore did not deprive the public of information during time-sensitive periods in the election cycle.

Both aggravating and mitigating factors exist for the four late monthly C-4 reports for 2021 that covered pre-election reporting periods and the two late pre-Primary C-4 reports for 2022. These reports were not filed before their respective elections, thereby depriving the public of information during time-sensitive periods in the election cycle. However, the late reports are partially mitigated by minimal expenditure and/or contribution activity.

Based on our findings, staff has determined that, in this instance, the Respondent's failure to timely and accurately file C-3 and C-4 reports for election years 2019-2023 does not amount to a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, Franklin County Democratic Central Committee will receive a formal written warning concerning its failure to timely file *Campaign Summary Receipts & Expenditures* reports (C-4 reports) and *Cash Receipts, Monetary Contributions* reports (C-3 reports). The formal written warning will include staff's expectation that Franklin County Democratic Central Committee timely and accurately file all required reports of

contributions and expenditures in the future. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

PDC staff is also reminding Franklin County Democratic Central Committee about the importance of 1) disclosing the name and address of the vendor from whom a contributor purchased an item or service that is given to the committee as an in-kind contribution (on C-4 reports); and 2) submitting amended reports within 21 days of the original reports, when possible, in the future in accordance with PDC laws and rules or guidance.

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 Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

*Electronically signed Tabatha Blacksmith*

Tabatha Blacksmith  
Compliance Officer

Endorsed by,

*Electronically signed Peter Frey Lavalley*

Peter Frey Lavalley  
Executive Director

cc: Franklin County Democratic Central Committee