



State of Washington

PUBLIC DISCLOSURE COMMISSION

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March 19, 2024

Delivered electronically to Johanna Baxter, Chair, Kitsap County Democratic Central Committee

Subject: Complaint filed by Glen Morgan, PDC Complaint 141559

Johanna Baxter,

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint he filed with the Public Disclosure Commission (PDC) against the Kitsap County Democratic Central Committee.

In accordance with WAC 390-37-060(1)(d), however, PDC staff is issuing a formal written warning to the Kitsap County Democratic Central Committee (Committee) concerning the requirement to timely and accurately file Monetary Contributions reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports) in the future. The warning includes providing the required expenditure descriptions such as the number of postcards printed, or yard signs produced and in-kind contribution information for items and services donated to the Committee on future C-4 reports filed with the PDC. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws and rules.

PDC staff has dismissed this matter in accordance with RCW 42.17A.755(1). If you have questions, please contact PDC Compliance Officer Kurt Young by e-mail.

Sincerely,

Endorsed by,

/s

Electronically Signed Kurt Young
Compliance Officer

/s

Electronically Signed Peter Lavalley, PDC Executive
Director



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March 19, 2024

Sent electronically to Glen Morgan

Subject: Complaint filed against Committee for the Kitsap County Democratic Central Committee, PDC Case 141559

Glen Morgan:

Public Disclosure Commission (PDC) staff has completed its review of the complaint you filed against the Kitsap County Democratic Central Committee; a bona fide political party county committee registered with the PDC. The complaint alleged violations of RCW 42.17A.235 and .240 by the Kitsap County Democratic Central Committee for failing to timely and accurately file contribution and expenditure reports during calendar years 2018 to the present, expenditure descriptions such as the number of postcards printed, or yard signs produced, and in-kind contribution information for items and services donated to the Committee.

PDC staff reviewed the allegations listed in the complaint; the applicable statutes, rules, and the reporting requirements for a continuing political party committee; the Monetary Contributions reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports) filed by the Kitsap County Democratic Central Committee (Committee); the email responses from Johanna Baxter, Committee Chair; 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:

- On May 15, 2023, the Committee filed a Committee Registration with the PDC registering as a bona fide political party county committee for 2023, selecting the Full Reporting option, and listing Shelley White as Ministerial Treasurer. Johanna Baxter is the current Chair of the Committee.
- 2019: In the response, Ms. Baxter stated in 2019, the Committee's newly elected treasurer was having trouble identifying and understanding the PDC reporting requirements for a political party committee. In addition, the former treasurers were assisting the new Treasurer but due to personal and other issues, the treasurer resigned after only eight or nine into the two-year elected term of office. The Treasurer stated as part of the resignation that the Committee conducted an audit which "identified some errors in the PDC reports that were filed."
- Ms. Baxter stated that the 2019 "appointed" Committee treasurer, with assistance from the audit committee, filed amended C-4 reports, but due to the Online Reporting of Campaign

Activities (ORCA) software “the amendments made to the January reports required the Committee to file amendments to all subsequently submitted reports.”

- She stated that “all necessary amendments were completed and submitted before KCDCC moved into 2020.”
- 2020: Ms. Baxter stated that the year began with the Committee making plans for a fund-raising dinner/auction to be held in March, and for their annual picnic at Jarstad Park. She stated that both monetary and in-kind contributions were accepted for the dinner/auction and included the auction items that were mostly donated from individuals, members, or precinct committee officers (PCO’s), which were timely disclosed to the PDC. Due to Covid and related restrictions, the Committee cancelled the annual picnic and the Committee requested refunds from the venue for the annual picnic.
- Ms. Baxter stated that due to the Committee refunds, “both to contributors and from the venue operator”, the Committee filed a number of amended C-3 and C-4 reports, and that several of the C-3 and C-4 reports were amended more than one time. She added that all contribution and expenditure information was updated as the information became known to the Committee treasurer.
- 2022: Ms. Baxter stated the alleged late C-3 and C-4 reports filed by the Committee were the results of “a typographical error” and that the amended C-3 and C-4 reports were submitted to correct that error. The error was identified by the Committee treasurer, but there was some time lag between the time the error was found and the filing of the corrected reports that caused the late submittals of the amended C-3 and C-4 reports. In addition, she added the Committee treasurer was tending to a family matter that took her out of town for a while, and she completed and filed the amended reports upon her returning home.

Concerning the late filed reports listed separately from the spreadsheet attachment, PDC staff found the following:

- PDC Report # 110123861: On October 25, 2022, the Committee made a \$5,433.79 expenditure to Capitol City Press to print a “ballot guide mailer”, listing the candidates endorsed by the Committee for the 2022 general election. On March 6, 2024, the Committee filed an amended C-4 report disclosing the printing and mailing of “30,879 ballot guide mailers” during the 2022 election cycle.
- PDC Report #110157341: On June 11, 2023, the Committee made a \$500 expenditure to Eventeny (www.eventeny.com) for “Staff food and beverages, etc.: Pride fee.” On February 29, 2024, the Committee filed an amended C-4 report disclosing that the expenditure was made as a “Sponsors for the Kitsap Pride Festival.”
- PDC Report #101011585: On October 20, 2020, the Committee made a \$8,723.96 expenditure to Capitol City Press for “Printing and mailing ballot/voters’ guide.” The ballot/voter guide listed the candidates endorsed by the Committee for the 2020 general election. On March 6, 2024, the Committee filed an amended C-4 report disclosing the printing and mailing of “70,000 ballot guide mailers” for the 2020 election cycle.
- PDC Report # 100995122: On August 25, 2020, the Committee made a \$992.29 expenditure to TLS Printing to print “Biden-Harris Campaign Signs” for the 2020 election. On March 6, 2024, the Committee filed an amended C-4 report disclosing the printing of “205-yard signs and 205-wood stakes for Biden-Harris campaign signs.”

Concerning the other alleged violations as listed by example, the Committee either stated or staff found the following:

- **Examples #1 and #43:** Ms. Baxter stated she was the contributor for these two in-kind contributions as Committee Chair, and that the C-4 reports disclosed: (1) \$31.67 for an in-kind contribution she made on June 27, 2022, for “a Kitsap Democrats holographic sticker” totaling \$31.67; and (2) \$78.47 for an in-kind contribution that was made on December 2, 2019, for “Postcards for membership requests.” The in-kind contribution was for Committee “postcards membership requests” which is an internal political communication and not political advertising, so the number of member postcards printed was not required.
- **Examples #2, #6, & #44:** Ms. Baxter stated that Melissa Lund is a caterer and is the vendor for the donated items described in the C-4 reports, which disclosed the following: (1) a \$170 in-kind contribution for “Food, water, cutlery, etc. for annual picnic” for the Committee made on July 10, 2022; and (2) a \$775 in-kind contribution for “Food and beverages for Holiday Party” was made on December 18, 2019. No amended information was required for these two in-kind contributions from an individual.
- **Examples #3 & #5:** These two allegations were for two Committee officers who made in-kind contributions to the Committee as follows: (1) Lillian Crawford contributed “Mailing envelopes and Avery labels” totaling \$38.17 on July 29, 2022; and (2) Ginger Summerhauser donated “Velcro fasteners for use at fair booth” totaling \$14.83 on August 23, 2022. No amended information was required for these two small in-kind contributions from two individual Committee Officers.
- **Example #4:** Johanna Baxter is the Chair of the Committee and stated she designed the “Political buttons” that she donated on August 19, 2022, with a value of \$82. No amended information was required for this small in-kind contribution from the Committee Chair.
- **Examples #7 - #42:** Ms. Baxter stated the 2020 auction items donated were all disclosed as in-kind contributors, that most of the items donated were from individuals who were members of the party committee, and that most of the items donated were from member’s homes, items hung on their walls, or that have decorated their tables. She added other individuals donated either dinners that they had prepared, that they served at their home, or that were delivered to the winning bidder’s home. Finally, other individuals donated tickets from their “season” tickets for the ballet, the theatre, baseball, football, or other sporting events, etc... while other people are taking the winning bidder out to lunch at an agreed upon venue. She stated that the Committee properly identified those in-kind contributors which were timely disclosed on the March 2020 C-4 report.
- PDC staff requested additional information from Ms. Baxter concerning the auction, and she stated that the March 2020 Committee Dinner and Auction event included a per person admission fee of \$70 that included dinner and water. The Committee sold tickets for this event, and Ms. Baxter stated that in 2020 they were informed by PDC staff that the auction event could be reported one of two ways, either on the Schedule AU to C-3 report, or as in-kind contributions on the C-4 report and as monetary contributions on the C-3 reports. PDC staff queried and found a PDC email (Ticket #65526) from the Committee dated February 24, 2020).
- The Committee disclosed the auction event by reporting in-kind contributions at the “fair market value” for each donated item on the C-4 report, and the Committee disclosed the purchasers of the auction items on a C-3 report as having made monetary contributions at the full amount paid for all auction items purchased by an individual, which includes any admission price paid by that individual.

Based on these findings, PDC staff found no evidence of a violation that would require conducting a more detailed investigation into the complaint allegations or pursuing any further enforcement action in this instance.

In accordance with WAC 390-37-060(1)(d), PDC staff is issuing a formal written warning to the Kitsap County Democratic Central Committee (Committee) concerning the requirement to timely and accurately file Monetary Contributions reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports) in the future. The warning includes providing the required expenditure descriptions such as the number of postcards printed, or yard signs produced and in-kind contribution information for items and services donated to the Committee on future C-4 reports filed with the PDC. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws and rules.

The PDC has dismissed this matter in accordance with RCW 42.17A.755(1). If you have questions, please contact PDC Compliance Officer Kurt Young by e-mail.

Sincerely,

Endorsed by,

/s _____
Electronically Signed Kurt Young
Compliance Officer

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Electronically Signed Peter Lavalley, PDC Executive
Director



cc: Kitsap County Democratic Central Committee