



State of Washington
PUBLIC DISCLOSURE COMMISSION

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December 12, 2023

Sent electronically to Glen Morgan at glen@wethegoverned.com

Subject: Complaints regarding Whitman County Democratic Central Committee, PDC Case 142460

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaints you filed on August 8 and October 19, 2023. The complaints alleged that Whitman County Central Democratic Central Committee, a Continuing Bonafide County Political Committee registered with the Public Disclosure Commission (PDC) since 2007, may have violated RCW 42.17A.235 and .240 for failure to timely and accurately file Summary, Full Report Receipts and Expenditures (C-4) reports in 2020 – 2021 and RCW 42.17A.205 for failure to file a new/updated Committee Registration (C-1pc).

To determine whether a formal investigation or enforcement action is warranted, PDC staff reviewed the allegations listed in the complaint; the applicable statute(s), rule(s), and reporting requirements; the Cash Receipts Monetary Contributions (C-3) and Summary, Full Report Receipts and Expenditures (C-4) reports filed by Whitman County Democratic Central Committee (Committee) in 2020 – 2021; the Campaign Registrations (C-1pc) filed by the Committee; the responses to the underlying and supplemental complaints provided by Michael Lowery, Treasurer, on behalf of the Committee; 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 August 19, 2007, the Committee filed its first/initial Committee Registrations (C-1pc) for both the Exempt and Non-Exempt Committees.
- On July 6, 2016, the Committee submitted its updated/last Committee Registration (C-1pc) for its Exempt Committee account.
- On February 2, 2023, the Committee submitted an updated Committee Registration (C-1pc) for its Non-Exempt Committee account, selecting the Full Reporting Option and listing Michael Lowery as Treasurer.
- You alleged that the Committee failed to timely and accurately file contribution and expenditure (C-4) reports. Specifically, you alleged that the Committee failed to accurately file the last C-4 and first C-4 reports for 2020 and 2021, respectively. You included copies of the last C-4 report from 2020 and the

beginning/initial C-4 report from 2021, showing an inaccurate carry-forward amount from 2020 to the 2021 election year, as evidence of the alleged transgression by the Committee. You also alleged that the Committee failed to file an updated C-1pc.

- Staff reviewed the C-1pc reports filed by the Committee and noted that the Committee, which has Exempt and Non-Exempt Committee accounts, filed the last C-1pc for the Committee's Exempt Committee on July 6, 2016, and filed its last C-4 report for the Exempt Committee account on September 1, 2016. The Exempt Committee account has been inactive since the last C-4 report was filed with the PDC. Staff further noted that the Non-Exempt Committee account is the only active committee and the C-1pc for the Non-Exempt Committee was timely filed on February 2, 2023.
- In its response to the complaint, by way of Michael Lowery, Treasurer, the Committee stated: "This complaint is referring to the Whitman County Democratic Central Committee Exempt which has been inactive and non-existent since 2016. The account was closed and any funds were transferred to Whitman County Democratic Central Committee Non-Exempt, which is current with all required filings."
- Regarding the alleged failure to file accurate C-4s report showing the correct carry-forward amount from 2020 – 2021, staff reviewed the statutory C-4 reports filed by the Committee during the time periods at issue in the complaint and noted that there were some discrepancies in the carry-forward amounts as noted in the complaint.
- In its response to the complaint, by way of Michael Lowery, Treasurer, the Committee stated: "I have filed an amended C-4 report for January 31, 2021. The beginning balance was \$250 less than the prior ending balance. A check was written on January 2 for \$250 and the beginning balance was reduced by that amount and the check was omitted from the original filing. I am not sure that the entire note that I added to the amended report was transmitted. This report is being amended to reflect the incorrect balance brought forward from 2020 to 2021. \$2,797.48 was on the original return. The amount should have been \$3,047.48. A check (#1809) was written in the amount of \$250. This was omitted from the original return and the beginning balance was incorrectly reduced by that amount."
- On October 31, 2023, the Committee amended its January 31, 2021, C-4 report to reflect the accurate carry-forward amount from 2020 to 2021 election years.

Based on these findings staff has determined that, in this instance, the Committee's failure to timely and accurately file the January 2021 C-4 report to reflect the true carry-forward amount from 2020 and 2021 election years does not amount to a violation that warrants further investigation.

However, pursuant to WAC 390-37-060(1)(d), the Committee will receive a formal written warning concerning its failure to accurately and timely disclose contribution and expenditure reports. The formal warning will include staff's expectation that Whitman County Democratic Central Committee Non-Exempt Committee adhere to the statutory requirements for reporting contribution and expenditure reports, in future years. Additionally, Whitman County Democratic Central Committee Non-Exempt Committee will be informed that the Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Accordingly, 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 Erick Agina, Compliance Officer at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Endorsed by:

s/_____
Erick O. Agina, Compliance Officer

s/_____
Peter Frey Lavallee, Executive Director

cc: Whitman County Democratic Central Committee Non-Exempt

