



State of Washington

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

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Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

January 31, 2024

Delivered electronically to Demetria Chatters

Subject: Complaint filed by Michael Swanson, PDC Complaint 144428

Demetria Chatters,

Below is a copy of an electronic letter sent to Michael Swanson concerning a complaint he filed with the Public Disclosure Commission (PDC) against your 2023 Campaign for Everett City Council.

In accordance with WAC 390-37-060(1)(d), PDC staff is issuing a formal written warning to you concerning the requirements to timely and accurately file Summary Full Campaign Contribution and Expenditure reports (C-4 reports) for all future elections in which you are seeking election to public office. This warning includes providing the required expenditure details and sub-vendor breakdowns for expenditures such as for third-party sub-contractors, the number of signs produced, flyers/mailers printers, run dates for cable advertising, and social media advertisements. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws/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



Public Disclosure Commission
Shining Light on Washington Politics Since 1972



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January 31, 2024

Sent electronically to Michael Swanson

Subject: Complaint filed against Demetria Chatters, PDC Case 144428

Michael Swanson:

The Public Disclosure Commission (PDC) staff has completed its review of the complaint you filed on October 24, 2023, against Demetria Chatters, a 2023 candidate seeking the office of Everett City Council, Position #6.

Your complaint alleged violations of: (1) RCW 42.17A.235 and .240 for failing to timely and accurately file Monetary Contributions reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports) disclosing contribution and expenditure activities undertaken during the 2023 election cycle; and (2) RCW 42.17A.405 and WAC 390-05-210 by receiving an in-kind contribution for the mailer in support of your candidacy sponsored by Snohomish Ebony PAC, that exceeded the \$1,200 general election contribution limits.

PDC staff reviewed the allegations listed in the complaint; the applicable statutes, rules, and the reporting requirements for a 2023 local candidate; the C-3 and C-4 reports filed by the 2023 Demetria Chatters Campaign; and the email responses from Ms. Chatters, to determine whether the record supports a finding of one or more violations. Based on staff's review, we found the following:

- On January 9, 2023, Demetria Chatters filed a Candidate Registration with the PDC declaring her candidacy as a 2023 candidate seeking the office of Everett City Council, Position #6, selecting the Full Reporting option, and listing Felicia Carnes as Ministerial Treasurer, and herself as candidate.
- Ms. Chatters stated that all her Campaign's treasury work for her 2023 Everett City Council race was handled by Felicia Carnes as her Ministerial Treasurer, since as candidate she had "no capacity to take" on those duties personally.
- On November 2, 2023, five days prior to the November 7, 2023 general election, the Campaign filed five amended C-4 reports that included the 21-Day and 7-Day Pre-General Election C-4 reports, and the June, July, and August monthly C-4 reports. The five amended C-4 reports disclosed the following updated information:

1. The amended 7-Day Pre-General Election C-4 report disclosed:

- (a) the \$5,000 expenditure made to Upper Left Strategies on October 17, 2023, was paid to Basis Technologies for digital advertising for 151,785 impressions with run dates of 10/23 – 11/7/2023; (b) the \$3,960.96 expenditure made to Upper Left Strategies on October 18, 2023, was paid to Capitol City Press for 10,928 postcards; (c) the \$5,000 expenditure made to Upper Left Strategies on October 27, 2023, was paid to Comcast for Comcast TV advertising with run dates 10/30 – 11/7/2023; and (d) the \$8,695.54 expenditure made to Upper Left Strategies on October 27, 2023, was paid to Capitol City Press to print and mail 10,1478 mailers.
2. The amended 21-Day Pre-General Election C-4 report disclosed: (a) the \$2,239.45 expenditure made to Upper Left Strategies on October 12, 2023, included a total of \$1,839.45 paid to Overnight Printing for 2,000 walking pieces, 100-business cards, and 100-yard signs; (b) a \$1,200 in-kind contribution from AJ Soto Photo for photography work; and (c) a \$113.30 in-kind contribution for staff time and email communications from the Progressive Alliance of Washington.
 3. The amended August 2023 C-4 report disclosed changes made to the carry forward contribution and expenditure totals from prior amended C-4 reports.
 4. The amended July 2023 C-4 report disclosed: (a) the \$4,600 expenditure made to Upper Left Strategies on July 25, 2023, was paid to Basis Technologies for digital advertising for 450,000 impressions with run dates of 7/24 – 8/1/2023; and (b) the \$4,951.80 expenditure made to Upper Left Strategies on July 21, 2023, was paid to Capitol City Press for postage and printing of 7,074 mailers.
 5. The amended June 2023 C-4 report disclosed the \$1,277.90 expenditure made to Upper Left Strategies on June 17, 2023, included a total of \$1,081.90 paid to Overnight Printing for 100-yard signs, and 50-rally signs; and a \$196 expenditure made to Squarespace for the Campaign website registration for one year.
- Ms. Chatters stated in her response that she had served on the Snohomish Ebony PAC's Executive board prior to the 2023 election cycle and stated that "when their treasurer moved out of state, I stepped up to fill the need of reconciling their financial records and bringing their reporting into compliance." She stated that she informed the PAC of her "intention to run for the Everett City Council in January of 2023, when I filed with the PDC for my campaign committee" and that the Committee would need to find a new Treasurer.
 - Ms. Chatters stated that she informed the Snohomish Ebony PAC when she filed her Candidate Registration that the Committee would need to recruit and find a new treasurer since she could not continue serving in that capacity while running for office in 2023. She stated that in March of 2023, "I brought their records and financial reporting up to date" but added that she understood how difficult it was for a small, grassroots, all volunteers run committee "to find a volunteer with PDC compliance knowledge."
 - Ms. Chatters stated that the Committee still had not found a Treasurer and that she reconciled their books and brought their PDC reports back into compliance after the August 1, 2023 primary election. She added that since she had advanced to the November 7, 2023 General Election, "I would not have the capacity to do so again and was stepping fully away from all operational work of the SEPAC organization."
 - Ms. Chatters stated that since July 31, 2023, she was not involved in any way with the Committee's "work, their finances, or their PDC compliance" and that she remained "fully focused on running my own campaign for the Everett City Council." The Committee as part of their response to PDC complaint 144427, provided copies of their March 5, 2023, May 5, 2023, and August 6, 2023, Committee meeting minutes.

- PDC staff's review of the meeting minutes confirmed that Ms. Chatters was only bringing the Committee's books and PDC reports into Compliance while the Committee was trying to find a replacement Treasurer. The meeting minutes also indicated that Chris Graves would take over the Treasury duties in August of 2023.
- **RCW 42.17A.005(15)(a)** states in part that "Contribution" includes: (ii) "An expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political or incidental committee, the person or persons named on the candidate's or committee's registration form who direct expenditures on behalf of the candidate or committee, or their agents; (iii) The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, digital, or other form of political advertising or electioneering communication prepared by a candidate, a political or incidental committee, or its authorized agent..."
- **WAC 390-05-210(6)** concerns consulting with a political committee and states in part that "An expenditure made by a person in cooperation, consultation, concert, or collaboration with, or at the request or suggestion of a political committee" is a contribution to/from the political committee. And (d) states in part "An expenditure is made by or in consultation with any person who, during the twelve months preceding the expenditure, is or has been receiving any form of campaign-related compensation or reimbursement from the political committee or its agent..."
- PDC staff conducted a search of the expenditures database and found there were no payments or expenditures made to Demetria Chatters by the Snohomish Ebony PAC for "compensation" or any "reimbursement" during the four years of the committee's existence, or more importantly during the twelve-month lookback period as outlined in WAC 390-05-210.
- On November 9, 2023, the Snohomish Ebony PAC filed a C-6 report disclosing a \$7,953.12 independent expenditure was presented to the public on October 23, 2023, that included an 18,936-piece mailer sent to voters in support of Demetria Chatters.
- There was no evidence found that Snohomish Ebony PAC and Ms. Chatters "consulted" or "collaborated" with each other concerning the independent expenditure (IE) mailer, or that Ms. Chatters had knowledge about the IE, prior to it being presented to the public on October 23, 2023.

Based on these findings, PDC staff found no evidence of violations that would require conducting a more formal investigation into the complaint or pursuing any further enforcement action in this instance. As noted above, no evidence was found that Ms. Chatters consulted or collaborated with the Snohomish Ebony PAC concerning the independent expenditure, and the allegation of exceeding contribution limits is dismissed.

Concerning the C-4 reports and proper disclosure of the Campaign expenditure details, in accordance with WAC 390-37-060(1)(d), PDC staff is issuing a formal written warning to Demetria Chatters concerning the requirements to timely and accurately file C-4 reports for all future elections in which she is seeking election to public office. The warning includes providing the required expenditure details and sub-vendor breakdowns for expenditures such as for third-party sub-contractors, the number of signs produced, flyers/mailers printers, run dates for cable advertising, and social media advertisements.

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/s_____
Electronically Signed Kurt Young
Compliance Officer

/s_____
Electronically Signed Peter Lavallee, PDC Executive
Director



cc: Demetria Chatters