



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 • Website: www.pdca.wa.gov

Memorandum

To: Public Disclosure Commission
From: Tabatha Blacksmith, Compliance Officer
Date: October 3, 2024
Subject: Matthew McCally Brief Adjudicative Proceeding (Brief Enforcement Hearing)
Memorandum: PDC Case 158260

Allegations

Public Disclosure Commission (PDC) staff alleges that Matthew McCally, 2024 candidate for State Representative of Legislative District 37 (House), violated RCW 42.17A.235 and RCW 42.17A.240 by failing to 1) timely and accurately file C-3 reports and C-4 reports disclosing contributions and expenditures undertaken by his campaign for election year 2024; and 2) allow public inspection of his candidate books-of-account.

Background

- Matthew McCally (the “Respondent”) is a candidate for State Representative of Legislative District 37 (House) in election year 2024. The Respondent appeared on the ballot for the August 6, 2024 Primary Election and has advanced to the General Election. **(Exhibit 1)** The Respondent has not filed the required *Candidate Registration* (C-1 report) (see PDC Case 155486).
- Pursuant to [RCW 42.17A.235](#) & [RCW 42.17A.240](#), a candidate 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). The due dates for these reports are based upon the election cycle, the committee’s election participation, and their financial activity.
 - A candidate who selects the Mini Reporting option on their C-1 report is relieved of the requirement to submit C-3 and C-4 reports. However, if a candidate has not registered with the PDC by filing a C-1 report, their campaign defaults to the Full Reporting option.

- Elections Division records indicate the Respondent paid a candidate filing fee of \$601.91 by credit card on or about May 10, 2024, which is reportable activity.
- The Respondent reached out to PDC staff by email on May 21, 2024 and indicated he was withdrawing from the 2024 General Election due to health reasons. PDC staff informed him that he would need to complete and return a formal *Statement of Termination of Campaign* form to the PDC by June 30, 2024 to be relieved of candidate reporting requirements. The PDC did not receive the requested statement by the deadline. **(Exhibit 2)**
- On July 11, 2024, the Respondent emailed PDC staff again and indicated he withdrew from the 2024 election shortly after declaring his candidacy due to ill health. He said his only expenditure was the candidate filing fee, which he paid for using his own funds. The Respondent stated he had not been campaigning or acting as a candidate. PDC staff reminded the Respondent of the missed June 30, 2024 deadline to submit a termination statement for his campaign and his Brief Enforcement Hearing scheduled for later that day. Staff asked the Respondent if he wished to attend the hearing, and he declined due to his health. **(Exhibit 3)**
- As a 2024 candidate participating¹ in the August 6, 2024 Primary Election, the Respondent was required to file the following reports by the following dates:
 - A 21-day pre-Primary C-4 report (covering 5/10/24-7/15/23) was due July 16, 2024;
 - A 7-day pre-Primary C-4 report (covering 7/16/23-7/29/23) was due July 30, 2024; and
 - A post-Primary C-4 report (covering 7/30/24-8/31/24) was due September 10, 2024.

Starting June 3, 2024, weekly C-3 reports disclosing monetary contributions received by the campaign, if any, were also due by the Monday following each deposit made.

- On August 16, 2024, PDC staff opened a case for the Respondent based upon three complaints filed by Conner Edwards alleging the Respondent failed to 1) file the required 21-day pre-Primary and 7-day pre-Primary C-4 reports; and 2) allow him to inspect the campaign's books-of-account. **(Exhibit 4)**
 - Mr. Edwards emailed the Respondent on August 1, 2024, five (5) days before the Primary Election, asking to digitally inspect his campaign books-of-account on August 1, 2024. The email was sent to the personal email address the Respondent supplied to the Elections Division. Conner Edwards filed a complaint on August 8, 2024 indicating that the candidate failed to allow the inspection. **(Exhibit 4)**
- PDC staff sent emails to the Respondent at multiple email addresses on August 16, 2024, September 12, 2024, and September 17, 2024, encouraging him to file the missing reports. All three messages were sent to the personal email address the Respondent supplied to the Elections Division for his candidacy, and two messages were also sent to alternate email addresses.

¹ [RCW 42.17A.005\(38\)](#) defines participation in an election to include: 1) making a monetary or in-kind contribution to a candidate; 2) making an independent expenditure or electioneering communication supporting or opposing a candidate; or 3) engaging in an activity described in .005(38)(c), (d) or (e).

- On September 23, 2024, PDC staff served the Respondent, by email and mail, with a hearing notice for today's October 3, 2024 Brief Adjudicative Proceeding (Brief Enforcement Hearing) before a Presiding Officer of the Public Disclosure Commission concerning his failure to file the required 21-day pre-Primary, 7-day pre-Primary and post-Primary C-4 reports for 2024, and allow a campaign books-of-account inspection. The hearing notice was sent to the personal email address the Respondent provided to the Elections Division for his candidacy as well as three alternate email addresses. The hearing notice was also mailed to the address the Respondent provided to the Elections Division. **(Exhibit 5)**
- Staff tried to reach the Respondent by telephone on September 24, 2024 and left a voice mail message requesting a return call.
- As of September 25, 2024, the Respondent has not filed the required pre-election and post-election C-4 reports that were due in July and September of 2024.
- As a candidate who advanced to the November 5, 2024 General Election, the Respondent will also be required to file 21-day pre-General, 7-day pre-General and post-General C-4 reports in the future.

Mitigating and Aggravating Factors

[WAC 390-37-061\(4\)](#) and [WAC 390-37-143\(2\)](#) set forth factors that may be considered when resolving minor violations. The following factors appear to apply in this case:

Mitigating factors:

- The Respondent appears to be a first-time candidate.
- The Respondent wishes to withdraw from candidacy due to health issues.
- The Respondent said he made one, relatively modest expenditure (candidate filing fee).
- The campaign appears to be small or relatively unsophisticated.

Aggravating factors:

- Missing pre-election C-4 reports deprived the public of timely information during a time-sensitive period.
- The Respondent has unresolved prior violations of .205 & .700 (PDC Case 155486) **(Exhibit 6)**

Occasion and Penalty Schedule

If the Presiding Officer finds the Respondent violated RCW 42.17A.235 and RCW 42.17A.240 at this hearing, it will constitute his first occasion of a violation of .235 and .240.

The penalty schedule for Brief Enforcement Hearings is found in [WAC 390-37-182](#).

Exhibit List:

Exhibit 1 – PDC Case 158260 – Candidate Declaration record from Secretary of State
Exhibit 2 – PDC Case 158260 – Email from Respondent, dated May 21, 2024
Exhibit 3 – PDC Case 158260 – Email from Respondent, dated July 11, 2024

Exhibit 4 – PDC Case 158260 – Complaints from Conner Edwards, dated July 21, 2024, August 1, 2024, and August 8, 2024

Exhibit 5 – PDC Case 158260 – Brief Enforcement Hearing Notice, served September 23, 2024 2024

Exhibit 6 – PDC Case 155486 – Final Order from July 11, 2024 BAP, entered August 9, 2024

PDC Exhibit 1

How to use this page:

Select the Primary election to see all candidates who filed (select a county to see PCOs).
General Election candidates will display after the Primary is certified.

The election status column displays whether a candidate appears on the Primary ballot.

View your personalized voting information at VoteWA.gov.

District Type	District	Race	Term Type	Term Length	Name	Mailing Address	Email	Phone	Filing Date	Party Preference	Status	Election Status	Ballot Order
<input type="text"/>	<input type="text"/>	<input type="text"/>			<input type="text" value="mccally"/>				<input type="text"/>	<input type="text"/>			
Legislative	Legislative District 37	State Representative Pos. 2	Regular	2	Matt McCally	442 S. MAIN ST, #410, WA, 98104			5/10/2024 10:18:48 AM	LIBERTARIAN	Active		2

PDC Exhibit 2

[Matthew McCally](#) reported via email
(Tue, 21 May 2024 at 12:08 PM)
To: pdc@pdc.wa.gov

External Email

For reasons of health, I am withdrawing from the November election.

Matt McCally

D-37, P-2

On Fri, May 17, 2024 at 11:42 AM <pdc@pdc.wa.gov> wrote:

You are receiving this email reminder because our records indicate that you are required to file the Candidate Registration Statement (C-1) and the Personal Financial Affairs Statement (F-1). We are missing these reports from you.

What do I report to the PDC?

Candidates who are running for a statewide or county office or are in a jurisdiction that contains at least 5,000 registered voters must also register by filing the C-1. Candidates who receive or expect to receive contributions totaling \$7,000 or more (including a candidate's own funds) or want to except contributions of more than \$500 from one source (other than a candidate's own funds) also are required to report contributions and expenditures. These candidates would choose the "full" reporting option.

You also will have to disclose information about your personal financial affairs. This allows citizens to understand your financial interests so that they know you are working for their benefit and not for private gain after you're elected. It also gives you the chance to review your personal holdings so that you can be sensitive to subjects that might pose an actual or perceived conflict of interest once you're in office. These reports are public records.

How and when do I file these reports?

You should file your Candidate Registration (PDC Form C-1) and Personal Financial Affairs Statement (PDC form F-1) **within two weeks** of becoming a candidate.

The C-1 report can be filed electronically through the PDC's [campaign registration application](#). We have [video tutorials](#) available at the website to assist you with the process.

The F-1 also is filed online. Find instructions at the PDC [website](#). If you are in elected office now and have already filed a F-1 as an officeholder, that report meets your filing requirement as a candidate.

How can I get help?

Reporting guides, manuals and videos are available in the [Registration & Reporting section](#) at www.pdc.wa.gov. Please read through the instructions and familiarize yourself with

the PDC requirements. If you have a campaign treasurer, we recommend that you and your treasurer read the instructions together so that you are both aware of what needs to be filed and when each report is due. A calendar of reporting deadlines is available at our [website](#).

The PDC provides free training on reporting requirements and using the Online Reporting of Campaign Activity (ORCA) system for filing contribution and expenditure reports. You can see the schedule and register here: <https://www.eventbrite.com/o/public-disclosure-commission-13952113896>. Videos of the classes are available on our [YouTube channel](#).

If you still have questions, the best way to contact us is to send an email to pdcc@pdcc.wa.gov. Your question will be assigned to the appropriate staff member and answered as quickly as possible.

Washington State law established email as the PDC's official means of communication as of June 7th, 2018 (RCW 42.17A.055). Filers have a duty to amend their reports within 10 days of any material changes, such as new email addresses. Please ensure your email address is up to date.

Unsubscribe - Unsubscribe Preferences

Alex Wood replied

(Tue, 21 May 2024 at 12:30 PM)

To: matthew.mccally@gmail.com

Matthew McCally,

If you are no longer a candidate and wish to terminate your campaign, please complete the attached form and return it to the PDC by email or mail by June 30.

This action will not remove your name from the ballot. You are agreeing that you will not campaign and that if elected, you will not accept the office. If you do campaign or accept the office, you could be subject to immediate enforcement action by the PDC for failure to file required reports. The Commission has penalty authority of up to \$10,000 per violation.

Please note that unless we receive written notification regarding your intent to terminate your campaign by June 30, we will expect you to complete F-1 financial affairs report and, if required, the C-1 candidate registration.

Please don't hesitate to reach out to us if you have any additional questions.



Alex Wood (He/Him)

Customer Service Specialist

Washington State Public Disclosure Commission

Main Line (360) 753-1111

877-601-2828 toll free in WA State
e-mail pdcc@pdc.wa.gov

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To respond, please reply to this email.

Washington Public Disclosure Commission
<http://www.pdc.wa.gov>
1.360.753.1111

Formal Statement of Termination 2024.pdf
71.93 KB

Alex Wood replied
(Thu, 13 Jun 2024 at 12:45 PM)
To: matthew.mccally@gmail.com

Matthew McCally,

We have not received your withdrawal statement, as of today. I am attaching it again here for your completion and return. Without the signed withdrawal statement your profile is still showing as active with the PDC and reports are still required. Please note that this withdrawal statement will not remove you from the ballot at this time. That deadline has passed with the elections office. If you have decided not to terminate your campaign please respond and let our office know of this decision.

You will need to file the missing required reports, C-1 (Registration) and F-1 (Personal Financial Statement), as soon as possible since they are past due and you are subject to enforcement actions at this time, if you do not decide to terminate your campaign with the PDC.

C-1: <https://www.pdc.wa.gov/registration-reporting/candidates-committees/registration-reporting-basics/candidate-registration>

F-1: <https://www.pdc.wa.gov/registration-reporting/personal-financial-affairs-disclosure/completing-f-1>

Please don't hesitate to reach out to us if you have any additional questions.



Alex Wood (He/Him)

Customer Service Specialist

Washington State Public Disclosure Commission

Main Line (360) 753-1111

877-601-2828 toll free in WA State

e-mail pdc@pdc.wa.gov

Washington State law established email as the PDC's official means of communication as of June 7th, 2018 (RCW 42.17A.055). Filers have a duty to amend their reports within 10 days of any material changes, such as new email addresses. Please ensure your email address is up to date.

To respond, please reply to this email.

Washington Public Disclosure Commission

<http://www.pdc.wa.gov>

1.360.753.1111

Formal Statement of Termination 2024 (2).pdf

71.93 KB

Alex Wood added a private note

(Tue, 9 Jul 2024 at 9:18 AM)

No completed termination statement as of 7/9/24 deadline was 6/30/24.

Matthew McCally rated this conversation

(Thu, 11 Jul 2024 at 10:19 AM)

Survey response for "**Default Survey**" to **Alex Wood**

Please tell us what you think of your support experience.

Just Okay

Comments

Email makes the process easy.

**Statement of Termination of Campaign
(for Public Disclosure Commission Purposes Only)**

Name:

Office Sought:

Jurisdiction:

1. I have terminated my campaign prior to completing a Declaration of Candidacy with the Secretary of State or a county elections office and do not intend to campaign for my election, solicit or accept campaign contributions (monetary or in-kind), or make campaign expenditures, including from personal funds.

OR

2. I have completed a Declaration of Candidacy with the Secretary of State or a county elections office, I intend to terminate my campaign, and I understand that the PDC will not conduct enforcement for my failure to file the reports required by RCW 42.17A if I:
 - Do not campaign for my election; do not solicit or accept campaign contributions (monetary or in-kind);
 - Do not make campaign expenditures, including from personal funds; and
 - Do not accept the office if elected (despite not engaging in any election activity).

I understand that if I engage in any of these activities, including campaigning for my election, soliciting or accepting contributions, making expenditures, or accepting the office if elected, the PDC will conduct enforcement for failure to file reports required by RCW 42.17A. The Commission has the authority to assess penalties up to \$10,000 per violation.

I understand that this statement is not an official withdrawal from the campaign, which can only be done with the appropriate elections office, and not with the Public Disclosure Commission (PDC).

The PDC will not accept any statements of termination received after June 30. After that date, candidates will be subject to enforcement for failure to file required reports, even if they have discontinued their campaigns.

Typed Name or Signature:

Date Submitted or Signed:

PUBLIC DISCLOSURE COMMISSION
PO BOX 40908 OLYMPIA WA 98504-0908
Email: pdcc@pdc.wa.gov

PDC Exhibit 3

Matthew McCally reported via email

(Thu, 11 Jul 2024 at 7:36 AM)

To: pdc@pdc.wa.gov

External Email

As mentioned earlier, I withdrew from the race almost immediately after initial filing for reasons of ill health.

The only money I spent was the initial filing fee, which was my own money, and, sadly, non-refundable.

I have not put myself or my party forward in any public forum since then. I have not been a candidate at all, really.

Please contact me at this e-address if you have any questions.

Thank you. Best wishes for a quiet, uneventful Election Day.

Matt McCally
Seattle, Washington
#206.790.1965

Colin Peeples replied

(Thu, 11 Jul 2024 at 8:06 AM)

To: matthew.mccally@gmail.com

Matthew McCally,

Thank you for the response. There is a hearing today at 1:30 for all candidates that did not file the required reports for the 2024 election cycle. We have been sending reminder and warning letters since the middle of May. There was a June 30, 2024, deadline to fill out a termination statement to relieve you from your filing obligations, if you did not intend to run or accept the elected position if you won. I have attached the hearing notice we sent you in a previous email. Please let us know if you would like to attend.



Public Disclosure Commission
Shining Light on Washington Politics Since 1972

Colin Peeples

PDC Staff

711 Capitol Way S, Rm 206

Olympia, WA 98504

(360) 753-1111

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Washington State law established email as the PDC's official means of communication as of June 7th, 2018 (RCW 42.17A.055). Filers have a duty to amend their reports within 10 days of any material changes, such as new email addresses. Please ensure your email address is up to date.

To respond, please reply to this email.

Washington Public Disclosure Commission

<http://www.pdc.wa.gov>

1.360.753.1111

155486 Matt McCally BAP Hearing Notice C-1 _ F-1 Candidate (EY 24).pdf
694.31 KB

Matthew McCally replied

(Thu, 11 Jul 2024 at 8:13 AM)

To: "PDC Support" pdc@pdc.wa.gov

External Email

No, my health being what it is, I do not plan to attend.



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Matt McCally
442 South Main St #410
Seattle, WA 98104

June 18, 2024

Also delivered electronically to matthew.mccally@gmail.com

Subject: C-1 and F-1 Brief Enforcement Hearing Notice; PDC Case Number 155486

Dear Matt McCally:

Public Disclosure Commission (PDC) records indicate that you are or were a candidate for public office in 2024, and we have not received a *Candidate Registration* (C-1 report) disclosing your campaign information for the 2024 election cycle or your *Personal Financial Affairs Statement* (F-1 report) disclosing personal financial information for the twelve months preceding your candidacy.

RCW 42.17A.205 and RCW 42.17A.700 require candidates to file a C-1 report and an F-1 report within two weeks of declaring their candidacy, which were to have been filed no later than May 24, 2024.

In accordance with RCW 42.17A.110 and RCW 42.17A.755, a Brief Adjudicative Proceeding (Brief Enforcement Hearing) has been scheduled to determine if you violated RCW 42.17A.205 and RCW 42.17A.700 by failing to file the required C-1 report and F-1 reports for the 2024 election cycle. Under the Brief Enforcement Hearing rules, the Presiding Officer has the authority to assess a civil penalty in accordance with WAC 390-37-143, a penalty schedule adopted by the Commission (see enclosed copy).

HEARING INFORMATION

Date and time: **July 11, 2024 at 1:30PM**
Place: Remotely from Olympia
Live Audio and Online Transmission
Presiding Officer: Nancy Isserlis, Chair, Public Disclosure Commission
Authority: RCW 42.17A and WAC 390

HOW TO AVOID THE HEARING

To avoid the Brief Enforcement Hearing, please take all the following steps:

1. File your C-1 report electronically by no later than July 2, 2024;

AND

2. File your F-1 report electronically by no later than July 2, 2024;

Online instructions for filing the reports are included.

AND

1. Mail or Email the following items to the PDC so they are postmarked on or before **July 2, 2024**:
 - A signed *Statement of Understanding* (blank form enclosed);
 - Make a payment in the amount of \$200 (\$100 for each late-filed report), either electronically through the PDC's new online payment system or by mail. Please see page 8 for payment instructions.

(Any *Statement of Understanding* received via email or mailed with a postmark later than July 2, 2024 will not be accepted and your case will proceed to hearing. The *Statement of Understanding* is not valid without the filed report and payment.)

PARTICIPATING IN THE HEARING VIA MICROSOFT TEAMS

The Brief Enforcement Hearing will be audio and video recorded. The Presiding Officer and PDC Staff will attend in-person or remotely via Microsoft Teams video conferencing platform.

- **PLEASE READ the entire instructions below *prior* to the day of the hearing if you plan to participate via MS Teams.**

Please note that you may be prompted to download the MS Teams app or use a supported browser (Microsoft Edge or Google Chrome) for best performance.

Anyone wishing to participate in the hearing remotely must follow the instructions below and join the meeting on a computer or mobile app **promptly at 1:15PM on July 11, 2024**. Please remain in the meeting until the Presiding Officer calls your name and case number. After your case has been heard, you may leave or stay in the meeting.

Please note that you must stay muted at all times except while your case is being heard.

Join on your computer or mobile app:

<https://tinyurl.com/mtwey3wt>

If you are unable to use Teams or experience technical difficulties, please call the PDC's main number 1-360-753-1111 to obtain information regarding alternate participation by telephone.

If you choose to participate in the hearing remotely, please be aware that you may be waiting in the queue for a unknown period of time while cases are being heard and you may have a limited amount of time to speak. If a lengthier response time is needed, please consider submitting written participation materials prior to the hearing (see below).

If you choose to participate in the hearing remotely, please be aware that you may be waiting in the queue for a unknown period of time while cases are being heard and you may have a limited amount of time to speak. If a lengthier response time is needed, please consider submitting written participation materials prior to the hearing (see below).

INTERPRETER

If a party or witness to this proceeding speaks limited English or is hearing-impaired, and needs an interpreter, a qualified interpreter will be appointed at no cost to you. Please inform us at least five business days before the hearing or no later than **July 5, 2024** if you require an interpreter for this proceeding and/or translation of its written materials in a language other than English. Please contact us by email at pdcc@pdcc.wa.gov or call us at (360) 753-1111 or 1-877-601-2828 to request an interpreter.

SUBMITTING WRITTEN MATERIALS

In advance of the Brief Enforcement Hearing, you may provide a written response describing the facts of your case for consideration by the Presiding Officer, including any circumstances or mitigating factors you would like considered. Please submit your written response so it is received by the PDC no later than July 5, 2024.

SUBMITTING THE REPORTS

You are strongly encouraged to complete and submit the required reports online prior to the Brief Enforcement Hearing so they are received by the PDC no later than **July 10, 2024**. The reports must be submitted electronically. Instructions for filing the C-1 can be found [here](#), and instructions for filing the F-1 can be found [here](#).

If you have any questions about the hearing process prior to the hearing date, please contact PDC Staff by email at pdcc@pdcc.wa.gov – and be sure to reference your case number in the subject line of the email. Information can also be found on the PDC site [here](#).

Sincerely,

PDC Staff
Compliance and Enforcement Division



Enclosures

- Statement of Understanding
- PDC Penalty Schedule

Public Disclosure Commission Statement of Understanding
Matt McCally: PDC Case 155486

I hereby acknowledge that I, _____, did not
(Printed Name of Respondent)

timely file the required *Candidate Registration* (C-1 report) and *Personal Financial Affairs Statement* (F-1 report) with the Public Disclosure Commission (PDC) as required for a candidate seeking elected office in 2024. The C-1 and F-1 reports were due to be filed within two weeks of my becoming a candidate in the 2024 election or no later than May 24, 2024, thereby violating RCW 42.17A.205 and RCW 42.17A.700.

I want to avoid the time and expense resulting from a Brief Adjudicative Hearing (Brief Enforcement Hearing) before the Presiding Officer. Therefore, I am filing both the C-1 and F-1 reports, completing the *Statement of Understanding*, and transmitting an electronic payment or a check or money order in the amount of \$200 (\$100 for each late-filed report), in lieu of a July 11, 2024 Brief Enforcement Hearing being held.

I understand that this will resolve all issues with the PDC regarding my failure to timely file the C-1 and F-1 reports, provided that my missing reports are completed online, and an electronic payment, check, or money order for \$200 and this signed Statement of Understanding are emailed or mailed to the PDC and postmarked on or before July 2, 2024.

I further understand that Commission staff will not be scheduling a Brief Enforcement Hearing before the Presiding Officer regarding my obligation to timely file the C-1 and F-1 reports that were due within two weeks of becoming a candidate.

Signature of Respondent/Candidate

Date Signed

Be sure to certify and submit your C-1 and F-1 reports online, make your payment via electronic payment, or by mailing a check or money order and email or mail this Statement of Understanding. Instructions for how to make a payment can be found on the reverse side of this page.

Electronic Payment Option

Please be aware, processing fees may apply. To start the process for making an online payment, do the following:

Email an electronic copy of the signed SOU to the PDC assigned to your case.

- A photo or scan of the signed SOU is acceptable. Do make sure that all parts of the SOU are within focus and readable.
- To email the signed SOU to the PDC, reply directly to the last email you had with the Compliance Officer and attach the document.
- The PDC must receive the signed SOU no later than **July 2, 2024**.
 - A signed SOU is required for the terms of the agreement to be fulfilled.
 - If you send the SOU and payment electronically, you DO NOT need to mail a hard copy of the SOU to your Compliance Officer

Once the SOU is received, PDC staff will email a payment link and further instructions about how to make a payment.

- You must send the payment, via the link, no later than **July 2, 2024**.

OR

Mail or In-Person Payment Option

- To pay by check or money order, make the draft payable to “Washington State Treasurer,” write your PDC Case Number in the Memo field, and mail or deliver the payment to one of the addresses shown below:

Regular mail:

Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908

Overnight mail or in-person delivery:

Public Disclosure Commission
711 Capitol Way S, STE 206
Olympia, WA 98501-1267

Please Note: All mailed payments or SOUs must bear a postmark date of July 2, 2024 in order to be considered valid.

Penalty Schedule [[WAC 390-37-143](#)]:

The Presiding Officer may assess a penalty up to one thousand dollars upon finding a violation of chapter [42.17A](#) RCW or Title 390 WAC.

(1) Base penalty amounts:

Violation	1st Occasion	2nd Occasion	3rd Occasion
Failure to timely file an accurate and complete statement of financial affairs (F-1):			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000
Candidate's failure to timely file an accurate and complete registration statement (C-1)/statement of financial affairs (F-1):			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150 per report	\$150 - \$300 per report	\$300 - \$600 per report up to \$1,000
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150 per report	\$300 per report	\$600 per report up to \$1,000
Failed to file report by date of enforcement hearing.	\$250 per report	\$500 per report	consideration by full commission

[Excerpt above]

"Occasion" means established violation. Only violations in the last five years will be considered for the purpose of determining second and third occasions.

(2) In determining the appropriate penalty, the presiding officer may consider the nature of the violation and aggravating and mitigating factors, including:

(a) Whether the respondent is a first-time filer;

(b) The respondent's compliance history for the last five years, including whether the noncompliance was isolated or limited in nature, indicative of systematic or ongoing problems, or part of a pattern of violations by the respondent, or in the case of a political committee or other entity, part of a pattern of violations by the respondent's officers, staff, principal decision makers, consultants, or sponsoring organization;

(c) The respondent's unpaid penalties from a previous enforcement action;

(d) The impact on the public, including whether the noncompliance deprived the public of timely or accurate information during a time-sensitive period, or otherwise had a significant or material impact on the public;

(e) The amount of financial activity by the respondent during the statement period or election cycle;

(f) Whether the late or unreported activity was significant in amount or duration under the circumstances, including in proportion to the total amount of expenditures by the respondent in the campaign or statement period;

(g) Corrective action or other remedial measures initiated by respondent prior to enforcement action, or promptly taken when noncompliance brought to respondent's attention;

(h) Good faith efforts to comply, including consultation with PDC staff prior to initiation of enforcement action and cooperation with PDC staff during enforcement action, and a demonstrated wish to acknowledge and take responsibility for the violation;

(i) Personal emergency or illness of the respondent or member of his or her immediate family;

(j) Other emergencies such as fire, flood, or utility failure preventing filing;

(k) Sophistication of respondent or the financing, staffing, or size of the respondent's campaign or organization; and

(l) PDC staff, third-party vendor, or equipment error, including technical problems at the agency preventing or delaying electronic filing.

(3) The presiding officer has authority to suspend all or a portion of an assessed penalty under the conditions to be determined by that officer including, but not limited to, payment of the nonsuspended portion of the penalty within five business days of the date of the entry of the order in that case.

(4) If, on the third occasion, a respondent has outstanding penalties or judgments, the matter will be directed to the full commission for consideration.

(5) The presiding officer may direct a matter to the full commission if the officer believes one thousand dollars would be an insufficient penalty or the matter warrants consideration by the full commission. Cases will automatically be scheduled before the full commission for an enforcement action when the respondent:

(a) Was found in violation during a previous reporting period;

(b) The violation remains in effect following any appeals; and

(c) The person has not filed the disclosure forms that were the subject of the prior violation at the time the current hearing notice is being sent.

[Statutory Authority: RCW [42.17A.110](#)(1) and 2018 c 304. WSR 18-24-074, § 390-37-143, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW [42.17A.110](#)(1) and [42.17A.570](#). WSR 18-10-088, § 390-37-143, filed 5/1/18, effective 6/1/18. Statutory Authority: RCW [42.17A.110](#). WSR 17-03-004, § 390-37-143, filed 1/4/17, effective 2/4/17.]

PDC Exhibit 4

Respondent Names
Matt McCally
Complainant Name
Conner Edwards
Complaint Description
<p>Conner Edwards</p> <p>Sun, 21 Jul 2024 at 12:47 AM</p> <p>Description of Complaint</p> <p>Candidate failed to timely file 21 day C4, see link: https://pdc.wa.gov/news/2024/ninety-candidates-receive-overdue-notices-missing-reporting-deadline .</p> <p>This candidate also failed to timely file C1 and F1: https://www.pdc.wa.gov/rules-enforcement/enforcement/enforcement-cases/155486</p> <p>Notice to Respondent</p> <p>I apologize to you for any inconvenience caused by this complaint.</p> <p>This complaint is one of hundreds that I have filed to highlight and ultimately fix the significant shortcomings associated with the agency responsible for administering our state's campaign finance laws.</p> <p>What are these shortcomings?</p> <p>Overcomplicated and outdated requirements that are difficult to understand and comply with. Failure to properly educate filers about the tasks they must perform to remain in compliance with applicable requirements and avoid complaints. Failure of the agency to send regular reminders to filers about pending deadlines. A failure to proactively enforce applicable requirements which enables the complaint system to become weaponized. Non-intuitive, non-user friendly, and buggy reporting software. Failure to meaningfully enforce core requirements. Failure to follow the best operating practices of other neighboring campaign finance agencies. An agency leadership structure that largely disregards stakeholder input and is slow to identify and resolve major agency deficiencies.</p> <p>I believe that the best way to motivate the agency to address these problems is by filing a large number of complaints so that the agency's problems become impossible to ignore.</p>

Slowly (too slowly) this strategy is starting to yield concrete and beneficial changes. You can read about these changes here: <https://www.seattletimes.com/seattle-news/politics/why-one-man-filed-800-campaign-finance-complaints-against-wa-candidates/>

If you believe that the agency could have done something different to help you proactively avoid the issues identified in this complaint, I hope that you will consider including it in your response. The agency, and the public, can benefit from your perspective and feedback.

“Be the change that you wish to see in the world.”

— Mahatma Gandhi

What impact does the alleged violation(s) have on the public?

The PDC has an obligation to provide transparency to the voters by enforcing filing requirements. The agency’s failure to actively monitor the filings of committees and enforce filing requirements damages both the public and the candidates themselves.

List of attached evidence or contact information where evidence may be found

PDC Website.

List of potential witnesses with contact information to reach them

See respondent contact info on PDC website.

Certification (Complainant)

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.

Matt McCally

Candidate for STATE REPRESENTATIVE for LEG DISTRICT 37 - HOUSE in the 2024 election.

Overview

[Contributions](#)

[Expenditures](#)

[Pledges](#)

[Debts](#)

[Loans](#)

[Independent Expenditures](#)

Candidate Overview

Candidacy Status

↳ Candidate declared (5/10/2024)

Financial Overview

\$0.00	+	\$0.00	+	\$0.00	=	\$0.00
Starting balance		Contributions		Loans		Total raised

\$0.00		\$0.00		\$0.00
Total spent		Pledges		Debt

\$0.00

Independent expenditures for

\$0.00

Independent expenditures against

Candidate Reports and Forms

[Financial Affairs Report](#)

[Surplus Funds Account](#)

Candidates Filed for this Position

Show entries Search:

* declared candidates (eligible for election)

Candidate	Contributions	Expenditures
Chipalo Street *	\$30,800.00	\$16,508.59
Matt McCally *	\$0.00	\$0.00

Showing 1 to 2 of 2 entries

Previous

1

Next

Spending for and against this candidate

Independent Expenditures

Independent expenditures are made by third parties that are not part of a candidate's campaign.

No independent expenditures reported.

Campaign Finance Reports

See the reports filed by the candidate. Reports with a strikethrough were amended by another report.

Show entries

[Download 0 rows as CSV.](#)

Period	Report Number	Filed	Report	Form Type	Election Year
--------	---------------	-------	--------	-----------	---------------

No records found

There are no reports available for this campaign

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Respondent Names
Matt McCally
Complainant Name
Conner Edwards
Complaint Description
<p>Conner Edwards</p> <p>Thu, 1 Aug 2024 at 12:36 AM</p> <p>Description of Complaint</p> <p>Candidate failed to timely file 7 day C4, see link: https://pdc.wa.gov/news/2024/pdc-sends-late-notice-78-candidates-missing-mandatory-reporting-deadline</p> <p>Notice to Respondent</p> <p>I apologize to you for any inconvenience caused by this complaint.</p> <p>This complaint is one of hundreds that I have filed to highlight and ultimately fix the significant shortcomings associated with the agency responsible for administering our state's campaign finance laws.</p> <p>What are these shortcomings?</p> <p>Overcomplicated and outdated requirements that are difficult to understand and comply with. Failure to properly educate filers about the tasks they must perform to remain in compliance with applicable requirements and avoid complaints. Failure of the agency to send regular reminders to filers about pending deadlines. A failure to proactively enforce applicable requirements which enables the complaint system to become weaponized. Non-intuitive, non-user friendly, and buggy reporting software. Failure to meaningfully enforce core requirements. Failure to follow the best operating practices of other neighboring campaign finance agencies. An agency leadership structure that largely disregards stakeholder input and is slow to identify and resolve major agency deficiencies.</p> <p>I believe that the best way to motivate the agency to address these problems is by filing a large number of complaints so that the agency's problems become impossible to ignore.</p> <p>Slowly (too slowly) this strategy is starting to yield concrete and beneficial changes. You can read about these changes here: https://www.seattletimes.com/seattle-news/politics/why-one-man-filed-800-campaign-finance-complaints-against-wa-candidates/</p>

If you believe that the agency could have done something different to help you proactively avoid the issues identified in this complaint, I hope that you will consider including it in your response. The agency, and the public, can benefit from your perspective and feedback.

“Be the change that you wish to see in the world.”

— Mahatma Gandhi

What impact does the alleged violation(s) have on the public?

The PDC has an obligation to provide transparency to the voters by enforcing filing requirements. The agency’s failure to actively monitor the filings of committees and enforce filing requirements damages both the public and the candidates themselves.

List of attached evidence or contact information where evidence may be found

PDC Website.

List of potential witnesses with contact information to reach them

See respondent contact info on PDC website.

Certification (Complainant)

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.

Matt McCally

Candidate for STATE REPRESENTATIVE for LEG DISTRICT 37 - HOUSE in the 2024 election.

Overview

Contributions

Expenditures

Pledges

Debts

Loans

Independent Expenditures

Candidate Overview

Candidacy Status

↳ Candidate declared (5/10/2024)

Financial Overview

\$0.00 Starting balance	+	\$0.00 Contributions	+	\$0.00 Loans	=	\$0.00 Total raised
-----------------------------------	---	--------------------------------	---	------------------------	---	-------------------------------

\$0.00 Total spent	\$0.00 Pledges	\$0.00 Debt
------------------------------	--------------------------	-----------------------

\$0.00

Independent expenditures for

\$0.00

Independent expenditures against

Candidate Reports and Forms

[Financial Affairs Report](#)

[Surplus Funds Account](#)

Candidates Filed for this Position

Show entries Search:

* declared candidates (eligible for election)

Candidate	Contributions	Expenditures
Chipalo Street *	\$36,337.00	\$16,520.67
Matt McCally *	\$0.00	\$0.00

Showing 1 to 2 of 2 entries

Previous

1

Next

Spending for and against this candidate

Independent Expenditures

Independent expenditures are made by third parties that are not part of a candidate's campaign.

No independent expenditures reported.

Campaign Finance Reports

See the reports filed by the candidate. Reports with a strikethrough were amended by another report.

Show entries

[Download 0 rows as CSV.](#)

Period	Report Number	Filed	Report	Form Type	Election Year
--------	---------------	-------	--------	-----------	---------------

No records found

There are no reports available for this campaign

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Respondent Names
Matt McCally
Complainant Name
Conner Edwards
Complaint Description
<p>Conner Edwards</p> <p>Thu, 8 Aug 2024 at 4:17 PM</p> <p>Description of Complaint</p> <p>This candidate failed to allow an inspection of their books of account as required. See attached e-mail.</p> <p>Notice to Respondent</p> <p>I apologize to you for any inconvenience caused by this complaint.</p> <p>This complaint is one of hundreds that I have filed to highlight and ultimately fix the significant shortcomings associated with the agency responsible for administering our state's campaign finance laws.</p> <p>What are these shortcomings?</p> <p>Overcomplicated and outdated requirements that are difficult to understand and comply with. Failure to properly educate filers about the tasks they must perform to remain in compliance with applicable requirements and avoid complaints. Failure of the agency to send regular reminders to filers about pending deadlines. A failure to proactively enforce applicable requirements which enables the complaint system to become weaponized. Non-intuitive, non-user friendly, and buggy reporting software. Failure to meaningfully enforce core requirements. Failure to follow the best operating practices of other neighboring campaign finance agencies. An agency leadership structure that largely disregards stakeholder input and is slow to identify and resolve major agency deficiencies.</p> <p>I believe that the best way to motivate the agency to address these problems is by filing a large number of complaints so that the agency's problems become impossible to ignore.</p> <p>Slowly (too slowly) this strategy is starting to yield concrete and beneficial changes. You can read about these changes here: https://www.seattletimes.com/seattle-news/politics/why-one-man-filed-800-campaign-finance-complaints-against-wa-candidates/</p>

If you believe that the agency could have done something different to help you proactively avoid the issues identified in this complaint, I hope that you will consider including it in your response. The agency, and the public, can benefit from your perspective and feedback.

“Be the change that you wish to see in the world.”

— Mahatma Gandhi

What impact does the alleged violation(s) have on the public?

The PDC has an obligation to provide transparency to the voters by enforcing book inspection requirements.

List of attached evidence or contact information where evidence may be found

PDC Website.

List of potential witnesses with contact information to reach them

See respondent contact info on PDC website.

Certification (Complainant)

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.



Conner Edwards <cg.edwards53@gmail.com>

Book Inspection Request (Matt McCally)

Conner Edwards <cg.edwards53@gmail.com>
To: matthew.mccally@gmail.com

Thu, Aug 1, 2024 at 12:38 AM

Hello:

Per RCW 42.17A.235 and WAC 390-16-043, I am requesting to inspect the books of your candidate committee.

Here is a link from the PDC's website about the book inspection process: <https://www.pdc.wa.gov/rules-enforcement/guidelines-restrictions/public-inspection-campaign-records>

I would like to inspect the books on Thursday (August 1, 2024) at 4:00 PM. It would be my preference to view these records digitally.

If that time doesn't work for you, please let me know of another time that would work for you.

--

Best,

Conner Edwards
(425) 533-1677 cell

PDC Exhibit 5



**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 • Website: www.pdcca.wa.gov

September 23, 2024

Matt McCally
442 South Main St, Apt. 410
Seattle, WA 98104-5115

Also delivered electronically to: matthew.mccally@gmail.com ,
matthew.mccally@seattlecolleges.edu , bigbadbassdaddy@gmail.com and
tabbithamichael12345@gmail.com

Subject: Brief Enforcement Hearing Notice; PDC Case Number 158260

Dear Matthew McCally:

On the date below, the Public Disclosure Commission (PDC) will hold a Brief Adjudicative Proceeding (Brief Enforcement Hearing) in accordance with RCW 42.17A.110 and RCW 42.17A.755 to determine if you violated RCW 42.17A.235 and .240 by failing to 1) timely and accurately disclose contributions and expenditures on required reports for your 2024 candidacy for State Representative of Leg. Dist. 37 (House); and 2) allow public inspection of your candidate books-of-account, as alleged in the complaint filed against you in PDC Case 158260.

Our records show that, to date, you have not filed the 21-day pre-Primary, 7-day pre-Primary, and post-Primary C-4 reports that were due July 16, 2024, July 30, 2024 and September 10, 2024 respectively. In addition, no C-3 reports have been filed, and these are required if your campaign received any monetary contributions.

Under the Brief Enforcement Hearing rules, the Presiding Officer has the authority to assess a civil penalty in accordance with WAC 390-37-143, a penalty schedule adopted by the Commission (see enclosed copy).

Your attendance at the hearing is encouraged but not required.

HEARING INFORMATION

Date and time: **Thursday, October 3, 2024 at 1:30PM**
Place: Remotely from Olympia
Live Audio and Online Transmission
Presiding Officer: Allen Hayward, Chair, Public Disclosure Commission or designee
Authority: RCW 42.17A and WAC 390

ATTENDING OR PARTICIPATING IN THE HEARING VIA MICROSOFT TEAMS

The Brief Enforcement Hearing will be audio and video recorded. The Presiding Officer and PDC Staff will attend in-person or remotely via Microsoft Teams videoconferencing platform.

- **PLEASE READ the entire instructions below *prior to the day of the hearing if you plan to attend or participate via MS Teams.***

Please note that you may be prompted to download the MS Teams app or use a supported browser (Microsoft Edge or Google Chrome) for best performance.

If you wish to attend or participate in the hearing remotely, please follow the instructions below and join the meeting on a computer or mobile app **promptly by 1:30PM on October 3, 2024**. Please remain in the meeting until the Presiding Officer calls your name and case number. After your case has been heard, you may leave or stay in the meeting.

Please note that you must stay muted at all times except while your case is being heard.

Join on your computer or mobile app:

<https://tinyurl.com/42xmfh82>

If you are unable to use Teams or experience technical difficulties, please call the PDC's main number 1 (360) 753-1111 to obtain information regarding alternate participation by telephone.

If you choose to participate in the hearing remotely, please be aware that you may be waiting in the queue for a unknown period of time while cases are being heard and you may have a limited amount of time to speak. If a lengthier response time is needed, please consider submitting written participation materials prior to the hearing (see below).

INTERPRETER

If a party or witness to this proceeding speaks limited English or is hearing-impaired, and needs an interpreter, a qualified interpreter will be appointed at no cost to you. Please inform us at least five business days before the hearing or no later than **September 26, 2024** if you require an interpreter for this proceeding and/or translation of its written materials in a language other than English. Please contact us by email at pdc@pdc.wa.gov or call us at 1 (360) 753-1111 or 1 (877) 601-2828 to request an interpreter.

SUBMITTING WRITTEN MATERIALS

In advance of the Brief Enforcement Hearing, you may provide a written response describing the facts of your case for consideration by the Presiding Officer, including any circumstances or mitigating factors you would like considered. Please submit your written response so it is received by the PDC no later than **September 26, 2024**.

SUBMITTING THE REPORTS

You are strongly encouraged to complete and submit the required missing reports [online](#) prior to the day of the Brief Enforcement Hearing so they are *received* by the PDC no later than **September 26, 2024**. The reports must be submitted electronically and instructions are available

online. If you need help filing reports, please reach out to us *as soon as possible* so we can put you in touch with a Filer Assistance Specialist.

If you have any questions about the hearing process prior to the hearing date, please contact me by email at pdcc@pdcc.wa.gov and be sure to reference your case number in the subject line of the email.

Sincerely,

Tabatha Blacksmith
Compliance Officer
(360) 753-1111



Enclosures

- Brief Enforcement Hearings FAQ
- PDC Penalty Schedule

BRIEF ENFORCEMENT HEARINGS – INFORMATION FOR FILERS

You have received a letter or email from the PDC scheduling a Brief Enforcement Hearing before a PDC Commissioner. Here are the answers to some Frequently Asked Questions about these brief hearings. This FAQ is informational only and should not be considered legal advice.

What is a Brief Enforcement Hearing?

The PDC is responsible for enforcing the State's campaign finance laws. We may schedule what is called a Brief Enforcement Hearing (also known as a "Brief Adjudicative Proceeding" under the Administrative Procedure Act) to address compliance with campaign finance reporting requirements when evidence shows the following types of alleged violations may have occurred:

- Failure to file or timely file required reports of financial affairs, campaign contributions and/or expenditures, independent expenditures, or funds spent on lobbying;
- Improper use of public facilities or resources in election campaigns when the value of public funds expended or facilities used was minimal; and
- Infractions of political advertising laws regarding sponsor identification or political party identification.

Brief Enforcement Hearings may be scheduled on other matters as well, if the basic facts are agreed to or are not being contested, and it is anticipated that the likely penalty imposed (if a violation is found) will be \$1,000 or less. The Commission has adopted a penalty schedule for Brief Enforcement Hearings which can be found in the Washington Administrative Code [WAC 390-37-143](#).

A Presiding Officer, who is a PDC Commissioner, will conduct the hearing. PDC Staff will present the case to the Presiding Officer, and you will have an opportunity to explain the circumstances related to the alleged violations. You may do this remotely online, by telephone, in writing (by email or letter) or in person.

Who are the parties involved?

The PDC Staff initiates and investigates possible violations, and brings cases forward to the Commission or its Presiding Officer. The person who is alleged to be out of compliance with the law is referred to as the "Respondent."

What do I do to prepare for the hearing?

The brief hearings are informal in nature. You are not required to have an attorney for this hearing. Hearings take place virtually and/or in the PDC meeting room where Commission meetings are held. You need to let the staff know at least five business days before the hearing whether you will be attending or participating remotely online, by phone, in-person or prefer not to attend.

If you are having other people (witnesses) testify on your behalf, they must be available at the hearing, and staff needs to be informed of the number of witnesses and time needed for their testimony when you notify the staff of your participation. The scheduled hearing starting time is the start time for several matters that will be heard by the Presiding Officer, and your case may not be the first one heard. So you will need to remain available to participate until your case is called.

Waiving your right to participate. If you have submitted nothing in writing prior to the hearing, have made no other arrangements, and you do not appear online, by phone, in-person, or through your legal counsel at the hearing, it will be presumed that you have decided to waive your right to participate at the hearing.

What happens at the hearing?

The Presiding Officer will introduce the participants and explain the procedure for the hearing. The hearing will be audio-taped.

The Presiding Officer will swear-in PDC Staff for them to present information regarding the alleged violation of law. You will then have an opportunity to testify, which is your opportunity to present information. All testimony by staff, Respondents, and witnesses is given under oath but, if you attend in-person, you are seated at a regular meeting table with a microphone, not in a courtroom. The Presiding Officer may ask you some questions about the information you, PDC Staff, or witnesses have presented. If you have decided to participate in writing instead of online, by phone or in-person, your written information will be considered by the Presiding Officer as part of the hearing materials.

If at any time the Presiding Officer believes the alleged violations are serious enough to merit penalties greater than \$1,000, the Presiding Officer will adjourn the hearing and direct that the matter be scheduled for a hearing before the full Commission at a later time.

How is the decision made?

After considering all the information presented at the hearing, the Presiding Officer will make a decision about the allegation(s) and any appropriate penalty amount. The decision is typically announced orally at the hearing.

The Presiding Officer will use the penalty schedule referred to above that has been adopted by the Commission in rule to determine the appropriate penalty for certain types of violations, taking into account aggravating and mitigating factors. The penalty schedule is below.

What happens after my hearing?

A written decision, called an Initial Order, laying out the Presiding Officer's ruling, including the findings and the penalty, will be sent to you. The PDC tries to get orders issued within 10 days, if possible, and not later than 30 days. If a monetary penalty is imposed in the Initial Order, the penalty must be paid to the **Washington State Treasurer**, and mailed to the address listed in the Order cover letter within the time frame stated in the Order.

Along with your Initial Order, you will also receive information about your appeal rights, including how to request review or reconsideration by the full Commission if you disagree with the Initial Order. Follow these procedures carefully if you wish to appeal. If there is no appeal before the PDC, the Initial Order becomes a Final Order, and further appeals must be made in Superior Court.

What are the rules that apply to the procedures of my hearing?

The PDC's laws and rules are available on the PDC's website at www.pdc.wa.gov. The laws are in the Revised Code of Washington ([RCW](#)) [Chapter 42.17A](#). The rules are in the Washington Administrative Code ([WAC](#)) [Title 390](#). Brief Adjudicative Proceedings are described at [WAC 390-37-140](#) through [390-37-150](#) and in the Administrative Procedure Act (APA) at [RCW 34.05.482-494](#).

Penalty Schedule [[WAC 390-37-143](#)]:

The Presiding Officer may assess a penalty up to one thousand dollars upon finding a violation of chapter [42.17A](#) RCW or Title 390 WAC.

(1) Base penalty amounts:

Violation	1st Occasion	2nd Occasion	3rd Occasion
Failure to timely file an accurate and complete statement of financial affairs (F-1):			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000
Candidate's failure to timely file an accurate and complete registration statement (C-1)/statement of financial affairs (F-1):			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150 per report	\$150 - \$300 per report	\$300 - \$600 per report up to \$1,000
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150 per report	\$300 per report	\$600 per report up to \$1,000
Failed to file report by date of enforcement hearing.	\$250 per report	\$500 per report	consideration by full commission
Failure to timely file an accurate and complete lobbyist monthly expense report (L-2):			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000
Failure to timely file an accurate and complete lobbyist employer report (L-3):			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,00

Failure to timely file accurate and complete disclosure reports:			
Political committee registration (C-1pc).	\$150	\$300	\$600
Statement of contributions deposit (C-3).	\$150	\$300	\$600
Summary of total contributions and expenditures (C-4).	\$150	\$300	\$600
Independent expenditures and electioneering communications (C-6).	\$150	\$300	\$600
Last minute contribution report (LMC).	\$150	\$300	\$600
Out-of-state committee report (C-5).	\$150	\$300	\$600
Annual report of major contributors (C-7).	\$150	\$300	\$600
Failure to timely file accurate and complete reports disclosing lobbying activities:			
Lobbyist registration (L-1).	\$150	\$300	\$600
Public agency lobbying report (L-5).	\$150	\$300	\$600
Grass roots lobbying report (L-6).	\$150	\$300	\$600
Failure to file electronically.	\$350	\$650	\$1,000
Exceeding contribution limits.	\$150	\$300	\$600
Exceeding mini reporting threshold.	\$150	\$300	\$600
Failure to comply with political advertising sponsor identification requirements.	\$150	\$300	\$600
Failure to include required candidate's party preference in political advertising.	\$150	\$300	\$600
Failure to comply with other political advertising requirements, RCW 42.17A.330 through 42.17A.345 .	\$150	\$300	\$600
Use of public facilities to assist a campaign for election or promote a ballot measure.	\$150	\$300	\$600
Treasurer's failure to timely file an accurate and complete annual treasurer's report (T-1):			
Filed report after hearing notice, but before enforcement hearing. Provided written explanation or appeared at hearing to explain mitigating circumstances. Did not enter into statement of understanding.	\$0 - \$150	\$150 - \$300	\$300 - \$600
Filed report after hearing notice, but before enforcement hearing. Did not enter into statement of understanding.	\$150	\$300	\$600
Failed to file report by date of enforcement hearing.	\$250	\$500	\$1,000

"Occasion" means established violation. Only violations in the last five years will be considered for the purpose of determining second and third occasions.

(2) In determining the appropriate penalty, the presiding officer may consider the nature of the violation and aggravating and mitigating factors, including:

- (a) Whether the respondent is a first-time filer;
- (b) The respondent's compliance history for the last five years, including whether the noncompliance was isolated or limited in nature, indicative of systematic or ongoing problems, or part of a pattern of violations by the respondent, or in the case of a political committee or other entity, part of a pattern of violations by the respondent's officers, staff, principal decision makers, consultants, or sponsoring organization;
- (c) The respondent's unpaid penalties from a previous enforcement action;
- (d) The impact on the public, including whether the noncompliance deprived the public of timely or accurate information during a time-sensitive period, or otherwise had a significant or material impact on the public;
- (e) The amount of financial activity by the respondent during the statement period or election cycle;
- (f) Whether the late or unreported activity was significant in amount or duration under the circumstances, including in proportion to the total amount of expenditures by the respondent in the campaign or statement period;
- (g) Corrective action or other remedial measures initiated by respondent prior to enforcement action, or promptly taken when noncompliance brought to respondent's attention;
- (h) Good faith efforts to comply, including consultation with PDC staff prior to initiation of enforcement action and cooperation with PDC staff during enforcement action, and a demonstrated wish to acknowledge and take responsibility for the violation;
- (i) Personal emergency or illness of the respondent or member of his or her immediate family;
- (j) Other emergencies such as fire, flood, or utility failure preventing filing;
- (k) Sophistication of respondent or the financing, staffing, or size of the respondent's campaign or organization; and
- (l) PDC staff, third-party vendor, or equipment error, including technical problems at the agency preventing or delaying electronic filing.

(3) The presiding officer has authority to suspend all or a portion of an assessed penalty under the conditions to be determined by that officer including, but not limited to, payment of the nonsuspended portion of the penalty within five business days of the date of the entry of the order in that case.

(4) If, on the third occasion, a respondent has outstanding penalties or judgments, the matter will be directed to the full commission for consideration.

(5) The presiding officer may direct a matter to the full commission if the officer believes one thousand dollars would be an insufficient penalty or the matter warrants consideration by the full commission. Cases will automatically be scheduled before the full commission for an enforcement action when the respondent:

- (a) Was found in violation during a previous reporting period;
- (b) The violation remains in effect following any appeals; and

(c) The person has not filed the disclosure forms that were the subject of the prior violation at the time the current hearing notice is being sent.

[Statutory Authority: RCW [42.17A.110](#)(1) and 2018 c 304. WSR 18-24-074, § 390-37-143, filed 11/30/18, effective 12/31/18. Statutory Authority: RCW [42.17A.110](#)(1) and [42.17A.570](#). WSR 18-10-088, § 390-37-143, filed 5/1/18, effective 6/1/18. Statutory Authority: RCW [42.17A.110](#). WSR 17-03-004, § 390-37-143, filed 1/4/17, effective 2/4/17.]

PDC Exhibit 6



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 • Website: www.pdca.wa.gov

Matt McCally
442 South Main St #410
Seattle, WA 98104

August 9, 2024

And delivered electronically to matthew.mccally@gmail.com

Subject: PDC Order, Case 155486

Dear Matt McCally,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case.

At the July 11, 2024 Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$500.

Online Payment Option:

To make an online payment email payments@pdcc.wa.gov.

A payment link will be sent to you, in which you will need to provide the following information: (1) Case Number; and (2) Respondent Name. **Please note, processing fees may apply.**

To mail a check or money order, make it payable to the "Washington State Treasurer" and be sure to include the PDC Case Number 155486 in the memorandum field.

For Regular Mail:

Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908

For Overnight Mail or In-Person Delivery:

Public Disclosure Commission
711 Capitol Way S, STE 206
Olympia, WA 98501-1267

It is also ordered that you file the missing F-1 within 30 days of this order, which is **September 9, 2024.**

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at pdcc@pdcc.wa.gov.

Sincerely,

Electronically Signed by JORDAN CAMPBELL /
PDC Staff

Enclosure: Initial Order



State of Washington
PUBLIC DISCLOSURE COMMISSION
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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A

Matt McCally,

Respondent.

PDC Case 155486

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Matt McCally dated June 18, 2024, a brief adjudicative proceeding was held on July 11, 2024, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.205 by failing to file or timely file a Candidate Registration (C-1 report) and RCW 42.17A.700 by failing to file or timely file a Personal Financial Affairs Statement (F-1 report), disclosing personal financial information for the preceding twelve months, which were both due to be filed within two weeks of candidacy or no later than May 24, 2024.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commission Chair Allen Hayward was the Presiding Officer and Commissioner J. Leach attended. Commission staff was represented by Compliance Coordinators Colin Peeples and Jordan Campbell. The Respondent did not participate in the hearing or submit any written material.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent is or was a candidate for STATE REPRESENTATIVE of LEG DISTRICT 37 - HOUSE.
2. As a candidate, the Respondent was required to file C-1 and F-1 reports by May 24, 2024.
3. The Respondent filed the C-1 report after the hearing notice, but before the enforcement hearing.
4. The Respondent did not file the F-1 report by the date of the enforcement hearing.
5. The Respondent has no prior violations.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened, and all jurisdictional, substantive, and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.205 by failing to timely file the C-1 report by May 24, 2024.
3. The Respondent violated RCW 42.17A.700 by failing to file the F-1 report by May 24, 2024.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

- 1. IT IS HEREBY ORDERED that the Respondent shall file the missing F-1 within 30 days of the date of this Order and is assessed a total civil penalty of \$500, in accordance with the candidate C-1 & F-1 penalty schedule set forth in WAC 390-37-143.**

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 9th Day of August, 2024.

Public Disclosure Commission

Electronically signed by Peter Frey Lavallee

Peter Frey Lavallee
Executive Director

I, JORDAN CAMPBELL, certify that I emailed and mailed a copy of this order to the Respondent at their respective addresses of record on the date stated herein.

Electronically Signed JORDAN CAMPBELL
Signed

August 9, 2024
Date

APPEALS OF INITIAL ORDER

REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request by email, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1).
- All requests for review must be submitted electronically to pdcc@pdcc.wa.gov.

REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE THIS INITIAL ORDER WAS ELECTRONICALLY DISTRIBUTED TO YOU.

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the FINAL ORDER. *See* WAC 390-37-142(7).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.542.