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Original via email to:
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January 16, 2025

Public Disclosure Commission
711 Capitol Way S #206
Olympia, WA 98504

Re: Complaint No. 164577
BIL File No. 3406-010

Dear PDC Staff,

This letter constitutes the Washington State Council of County and City Employees AFSCME Council 2's (Council 2) response to the allegations raised in Conner Edwards' November 13, 2024, complaint. Edwards' complaint alleges violation of RCW 41.17A.235 and .240 for failure to file C-4 reports both 21-days and 7-days before the 2024 general election.

Council 2 is in the habit of filing monthly C-4 reports and regular C-3 reports, as needed. Indeed, it has fully disclosed all the transactions in the reporting periods covered by the 21- and 7-day reports in question, albeit on the wrong timeline.

Due to Council 2's transparency and remedial efforts, an alternative response to an investigation or adjudicative proceeding is appropriate, such as a warning letter. Several factors set out in WAC 390-37-061 make clear that such an alternative response is appropriate.

1. The noncompliance resulted from a good-faith error, omission, or misunderstanding. It was not an intentional effort to conceal, deceive, mislead, or violate the law.

Council 2 consistently files C-4 and C-3 reports with the PDC. In Council 2's experience, the PDC's internal reporting system accurately indicates the required due date for each report. Council 2 was unaware that separate 21- and 7-day reporting deadlines existed leading up to an election, in addition to regularly monthly C-4 reports, and its noncompliance is a result of this good-faith misunderstanding. Council 2 is now familiar with the helpful election-specific timeline posted on the PDC's website.¹

¹ [Key Dates: 2024 | Washington State Public Disclosure Commission \(PDC\)](#)

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2. The respondent's compliance history indicates the noncompliance was isolated or limited in nature, and not indicative of systematic or ongoing problems.

Council 2 has a lengthy history of successful PDC compliance.

3. There is no evidence that any person, including an entity or organization, benefited politically or economically from the noncompliance.

Council 2 in no way benefited, politically or economically, from reporting its contributions and expenditures on their normal timeline instead of the alternate election-specific timeline. And no evidence suggests any other person or entity benefited either.

4. The respondent made a good-faith effort to comply, including by consulting with PDC staff following a complaint and cooperating during any preliminary investigation, or demonstrated a wish to acknowledge and take responsibility for the alleged violation.

Council 2 contacted our law firm on January 3, 2025, the day it first became aware of the complaint against it. Council 2 staff spoke with the PDC directly on January 14, 2025, to see if any further action was required to amend or correct the prior filings and were informed that no further action was required, as the required information was present in the filings that occurred outside of the required timeframe. Council 2 takes this matter seriously and is committed to its continued practice of accurate disclosure year-round, including future election seasons.

In light of these considerations, Council 2 requests that the PDC resolve this matter through a dismissal, written reminder, or an alternative response rather than a full investigation and adjudicative hearing. The PDC has frequently resolved similar cases through an alternate response to a formal investigation and enforcement under RCW 41.17A.235 and .240 with a dismissal with written warning. *See, e.g.*, PDC Case No. 159775 (Respondent acknowledges they filed reports late due to loss in the family. Complaint dismissed with written warning.); PDC Case No. 159758 (Respondent acknowledges they filed reports late and amended/ filed C-4 reports retroactively. Complaint dismissed with written warning); PDC Case No. 159736 (Respondent acknowledges they filed reports late due to misunderstanding of requirements. Retroactively filed reports. Complaint dismissed with written warning).

Please contact me with any questions or concerns at (206) 257-6009.

Sincerely,



Azor Cole

Danielle Franco-Malone

*Counsel for Washington State Council of
County and City Employees AFSCME
Council 2*