



**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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)**

Feb. 6, 2019

Delivered electronically to “[treasurer.valleypac@gmail.com](mailto:treasurer.valleypac@gmail.com)”

Subject: PDC Case 25888

Dear Jordan Gustafson:

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Glen Morgan, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(b), this letter serves as a warning letter concerning your failure to comply with the filing requirements noted in the enclosed letter sent to Mr. Morgan. Staff expects you to file timely, complete C-3 and C-4 reports in future years in accordance with PDC laws and rules. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

/s\_\_\_\_\_  
Alice Fiman  
Compliance Officer

Endorsed by,  
/s\_\_\_\_\_  
Peter Lavalley  
Executive Director



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Feb. 6, 2019

Delivered electronically to “[glen@wethegoverned.com](mailto:glen@wethegoverned.com)”

Subject: Complaint regarding Valley Professional Firefighters PAC, PDC Case 25888

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on September 27, 2017. Your complaint alleged that Valley Professional Firefighters (VPFF), a Political Action Committee (PAC) established in 2011, may have violated RCW 42.17A.405 by making an over-limit contribution, and RCW 42.17A.235 by (1) failing to timely file several Monetary Contributions reports (C-3) and Campaign Summary Receipts and Expenditures reports (C-4); and (2) failing to report contributions.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the C-3 and C-4 reports filed by VPFF PAC, the response from Jordan Gustafson, current volunteer treasurer for VPFF PAC, and the response from Danielle Franco-Malone, legal counsel for VPFF PAC, submitted to the Washington State Attorney General’s Office (AGO), to determine whether the record supports a finding of one or more violations.

Based on staff’s review, we found the following:

- VPFF PAC filed a Political Committee Registration (C1pc) on November 3, 2011, registering as a New Continuing Committee that was affiliated with Valley Professional Firefighters, IAFF Local 1352.
- On January 8, 2018, VPFF PAC filed an amended C1pc, noting the committee was a New Continuing Committee under Full Reporting, with no affiliation listed.
- The January 8, 2018 amended C1pc listed Jordan Gustafson as Campaign Manager and Treasurer. Jordan Gustafson was first listed as part of VPFF PAC on January 10, 2017, as Treasurer.
- Me. Gustafson stated he is not a professional campaign manager, but a full-time firefighter and volunteer campaign manager who is interested in PDC training.
- During the 2017 Election, VPFF PAC filed a total of 35 C-3 and C-4 reports disclosing more than \$7,200 in contributions and \$5,600 in expenditures.

- Of the C-3 and C-4 reports filed by VPFF PAC for 2017, two of the reports were filed as amended reports.
- During the 2016 election, VPFF PAC filed a total of 35 C-3 and C-4 reports disclosing more than \$5,300 in contributions and \$2,500 in expenditures.
- Of the C-3 and C-4 reports filed by VPFF PAC for 2016, four were filed as amended reports.
- During the 2015 election, VPFF PAC filed a total of 39 C-3 and C-4 reports disclosing more than \$5,990 in contributions and \$4,580 in expenditures.
- Of the C-3 and C-4 reports filed by VPFF PAC for 2015, four were filed as amended reports.

**Allegation #1: Making an over-limit contribution that was not timely refunded.**

The complaint alleged the VPFF PAC donated the statutory maximum donation to the Nancy Backus campaign during the 2017 election year, then made an in-kind contribution of \$478.51 on August 2, 2017.

- Danielle Franco-Malone stated, “Valley Professional Firefighters PAC does not dispute that it inadvertently made an in-kind contribution of \$478.51 to the Backus campaign without realizing that it had already made the maximum allowable donation to the campaign. Immediately upon becoming aware of this inadvertent error, the Valley Professional Firefighters PAC rectified it by requesting the Backus campaign refund the overage contribution. The Backus campaign did so, writing Valley Professional Firefighters PAC a check for \$478.51, the amount of the in-kind contribution that was inadvertently made to the Backus campaign in excess of the contribution limits. That refund was in turn properly reported by the PAC on Report Number 100799843.”
- In a C-3 report (#100799843), filed November 9, 2017 by VPFF PAC, a \$478.51 contribution from Committee to Elect Nancy Backus was reported as received on November 7, 2017.

**Allegation #2: Failure to report candidate contributions made by PAC.**

The complaint alleged VPFF PAC failed to disclose most of its 2017 campaign contributions on its PAC reports. The complaint cited \$2,850 in contributions to four candidates.

- Danielle Franco-Malone responded by stating, “As the candidates’ C-3 reports indicate, the contributions were received directly from the Valley Professional Firefighters, not its PAC. Valley Professional Firefighters maintains a separate segregated fund (“SSF”) and the donations in question were made directly from that fund, not its PAC.”
- The donations to Nancy Backus (\$2,000), Larry Brown (\$500), Manka Dhingra (\$250) and John W. Creighton III (\$100) were properly reported by the candidates as from the VPFF, not its PAC.

**Allegation #3: Failure to file accurate, timely C-3 and C-4 reports.**

The complaint alleged VPFF PAC failed to file accurate and timely C-3 and C-4 reports. The complaint included a list of alleged late-filed reports in 2015, 2016, and 2017.

- VPFF PAC filed some C-3 and C-4 reports between 1 and 65 days late during this period.
- The 2016 21-Day and 7-Day Pre-General Election C-4 reports were filed late; however, they were filed one week prior to election and contained minimal contribution and expenditure information. The public was not deprived of critical information.
- Concerning the C-3 filed March 4, 2016, listed as being filed 329 days late, Jordan Gustafson, VPFF PAC Campaign Manager and Treasurer, said he made a typing error when submitting C-3 report 100636870. He said the contributions were deposited March 4, 2016, not March 4, 2015, making the C-3 report timely.

Based on these findings, staff has determined that in this instance, the failure to timely file all C-3 and C-4 reports timely does not amount to an actual violation warranting further investigation.

However, pursuant to WAC 390-37-060(1)(b), VPFF PAC will receive a formal written warning concerning its failure to timely file all C-3 and C-4 reports. The formal written warning will include staff's expectation that VPFF PAC will file timely C-3 and C-4 reports in the future. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Based on this information, 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 Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail [alice.fiman@pdc.wa.gov](mailto:alice.fiman@pdc.wa.gov).

Sincerely,

If you have questions, you may contact Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Sincerely,

/s\_\_\_\_\_  
Alice Fiman  
Compliance Officer

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