

## Complaint Description

[Glen Morgan](#) (Wed, 30 Oct 2019 at 8:32 AM)

To whom it may concern,

It continues to come to my attention (and the attention of anyone who bothers to look at their reporting) that Washington Conservation Voters Action Fund PAC continues to commit egregious, repetitive and serious violations of Washington State's campaign finance laws (**RCW 42.17A**).

### **1) Failure to provide legally required details on PAC expenditure reports(Violation of RCW 42.17A.235, .240 and WAC 390-16-037)**

This well-funded PAC, which has the resources to hire professional compliance, legal, and treasurer support and which is very familiar with Washington State's campaign finance laws for decades of political activity still chose to knowingly break the law. This is all the more shocking considering the fact this professional, corporately funded PAC has recently (earlier this year) received a formal Written Warning issued by the PDC for previous violations of Washington's Campaign Finance Laws (See attached warning letter – **PDC Enforcement Case #42958**).

Not only did this mega PAC fail to provide legally detailed information on their C6 and C4 reports as detailed in my recent complaint filed with the PDC on October 26<sup>th</sup>, they continue to fail to follow the law in their more recent expenditure reports (C4). I have attached this report (**PDC Tracking # 100942097**) for easy PDC staff reference, but as explained before, this PAC has refused to provide adequate details on most expenditures – who was it for? How many pieces were mailed? WAC 390-16-037 is very clear. The professional crew running this PAC knows the law. They just chose to ignore it.

These violations are particularly concerning in light of the fact that the PDC has already issued a Formal Warning to this mega PAC, and despite that, they chose to break the law just a few months after receiving the Warning. It isn't clear if that Formal Warning was viewed as a Green Light to break the law, knowing there would be no consequences, or if this PAC just felt that they have enough money, the risk of a fine was so low it didn't even matter.

Either way, this merits an investigation by the PDC to get to the bottom of this one.

Best Regards,

Glen Morgan

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

The public and the voters have a right to know how Mega corporately funded PACs like this one spend their campaign cash. Even major PACs who violate the state's campaign finance laws like this one should be eventually obligated to comply with the statute.

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

Two referenced documents attached

**List of potential witnesses with contact information to reach them.**

All the officers of this PAC and possibly the vendors to verify the information reported is accurate

**Complaint Certification:**

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.

**SUMMARY, FULL REPORT  
 RECEIPTS AND  
 EXPENDITURES**

<b>C4</b> (3/97)	PDC OFFICE USE
	100942097
	10-29-2019

Candidate or Committee Name (Do not abbreviate. Include full name)  
**WASHINGTON CONSERVATION VOTERS ACTION FUND**

Mailing Address  
**PO BOX 1907**

City  
**SEATTLE, WA**

Zip + 4 <b>98111</b>	Office Sought (Candidates)	Election Date <b>2019</b>
Report Period Covered <b>10/15/19</b>	From (last C-4) <b>10/15/19</b>	To (end of period) <b>10/28/19</b>
		Final Report? Yes No <b>X</b>

**\*For PACs, Parties & Caucus Committees:** During this report period, did the committee make an **independent expenditure** (i.e., an expense not considered a contribution supporting or opposing a state or local candidate?)

RECEIPTS		*See next page	Yes	No
1. Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) .....		\$		<b>\$236,000.33</b>
2. Cash received (From line 2, Schedule A) .....		\$		<b>\$2,625.00</b>
3. In kind contributions received (From line 1, Schedule B) .....				<b>\$0.00</b>
4. Total cash and in kind contributions received this period (Line 2 plus 3) .....				<b>\$2,625.00</b>
5. Loan principal repayments made (From line 2, Schedule L) .....				<b>\$0.00</b>
6. Corrections (From line 1 or 3, Schedule C) .....	Show + or (-)			<b>\$0.00</b>
7. Net adjustments this period (Combine line 5 & 6) .....	Show + or (-)			<b>\$0.00</b>
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) .....				<b>\$238,625.33</b>
9. Total pledge payments due (From line 2, Schedule B) .....		<b>\$0.00</b>		

EXPENDITURES	
10. Previous total cash and in kind expenditures (From line 17, last C-4) (If beginning a new campaign or calendar year, see instruction booklet) .....	<b>\$133,771.71</b>
11. Total cash expenditures (From line 4, Schedule A) .....	<b>\$99,064.56</b>
12. In kind expenditures (goods & services) (From line 1, Schedule B) .....	<b>\$0.00</b>
13. Total cash and in kind expenditures made this period (Line 11 plus line 12) .....	<b>\$99,064.56</b>
14. Loan principal repayments made (From line 2, Schedule L) .....	<b>\$0.00</b>
15. Corrections (From line 2 or 3, Schedule C) .....	Show + or (-) <b>\$0.00</b>
16. Net adjustments this period (Combine lines 14 & 15) .....	Show + or (-) <b>\$0.00</b>
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16) .....	<b>\$232,836.27</b>

**CANDIDATES ONLY**

	Won	Lost	Unopposed	Name not on ballot
Primary election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Treasurer's Daytime Telephone No.:  
**(206) 374-0760**

**CASH SUMMARY**

18. Cash on hand (Line 8 minus line 17) .....	<b>\$5,789.06</b>
<small>[Line 18 should equal your bank account balance(s) plus your petty cash balance.]</small>	
19. Liabilities: (Sum of loans and debts owed) .....	<b>\$0.00</b>
20. Balance (Surplus or deficit) (Line 18 minus line 19) .....	<b>\$5,789.06</b>

**CERTIFICATION:** I certify that the information herein and on accompanying schedules and attachments is true and correct to the best of my knowledge.

Candidate's Signature	Date	Treasurer's Signature	Date
		<b>SEAN PENDER</b>	<b>10/29/19</b>

# CASH RECEIPTS AND EXPENDITURE

**SCHEDULE**  
to C4 **A**  
(11/93)

2

Candidate or Committee Name (Do not abbreviate. Use full name.)

Report Date

10/15/19      10/28/19

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.

Date of deposit	Amount	Date of deposit	Amount	Date of deposit	Amount	Total deposits
10/16/2019	\$25.00					
10/24/2019	\$2,600.00					

2. TOTAL CASH RECEIPTS Enter also on line 2 of C4 \$ \$2,625.00

**CODES FOR CLASSIFYING EXPENDITURES:** If one of the following codes is used to describe an expenditure, no other description is generally needed. The exceptions are:

- 1) If expenditures are in-kind or earmarked contributions to a candidate or committee or independent expenditures that benefit a candidate or committee, identify the candidate or committee in the Description block;
- 2) When reporting payments to vendors for travel expenses, identify the traveler and travel purpose in the Description block; and
- 3) If expenditures are made directly or indirectly to compensate a person or entity for soliciting signatures on a statewide initiative or referendum petition, use code "V" and provide the following information on an attached sheet: name and address of each person/entity compensated, amount paid each during the reporting period, and cumulative total paid all persons to date to gather signatures.

CODE  
DEFINITIONS  
ON NEXT PAGE

C - Contributions (monetary, in-kind & transfers)  
I - Independent Expenditures  
L - Literature, Brochures, Printing  
B - Broadcast Advertising (Radio, TV)  
N - Newspaper and Periodical Advertising  
O - Other Advertising (yard signs, buttons, etc.)  
V - Voter Signature Gathering

P - Postage, Mailing Permits  
S - Surveys and Polls  
F - Fundraising Event Expenses  
T - Travel, Accommodations, Meals  
M - Management/Consulting Services  
W - Wages, Salaries, Benefits  
G - General Operation and Overhead

**3. EXPENDITURES**

- a) Expenditures of \$50 or less, including those from petty cash, need not be itemized. Add up these expenditures and show the total in the amount column on the first line below.
- b) Itemize each expenditure of more than \$50 by date paid, name and address of vendor, code/description, and amount.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency or credit card company, attach a list of detailed expenses or copies of receipts/invoices supporting the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
N/A	Expenses of \$50 or less	N/A	N/A	\$81.86
10/16/19	HOPKINS & SACHS INC PO BOX 765 SALEM, OR 97308		Direct mail	\$9,306.98
10/16/19	HOPKINS & SACHS INC PO BOX 765 SALEM, OR 97308		Direct mail	\$8,719.82
10/16/19	SWAY 4350 EAST WEST HWY, STE 350 BETHESDA, MD 20814		Video production	\$4,600.00
10/24/19	FRIENDS OF DAVID FROCKT PO BOX 2114 SEATTLE, WA 98111		Contribution	\$500.00
10/21/19	HOPKINS & SACHS INC PO BOX 765 SALEM, OR 97308		Direct Mail	\$8,719.82
10/17/19	HOPKINS & SACHS INC PO BOX 765 SALEM, OR 97308		Direct Mail	\$8,286.76

Total from attached pages \$ \$58,849.32

4. TOTAL CASH EXPENDITURES

Enter also on line 11 of C4 \$ \$99,064.56

# EXPENDITURES CONTINUATION SHEET (Attachment to Schedule A)

Candidate or Committee Name (Do not abbreviate. Use full name.)

Report Date

10/15/19

10/28/19

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
10/17/19	HOPKINS & SACHS INC PO BOX 765 SALEM, OR 97308		Direct mail	\$13,903.50
10/28/19	THE KENNEDY FUND 3518 FREMONT AVE N #545 SEATTLE, WA 98103		Contribution	\$2,500.00
10/28/19	FUSE VOTES 1402 THIRD AVENUE, STE 310 SEATTLE, WA 98101		Progressive voter guide support	\$6,600.00
10/28/19	ECKROSH MARKETING 6107 SW MURRAY BLVD #421 BEAVERTON, OR 97008		Digital ad placement services	\$35,000.00
10/28/19	WASHINGTON CONSERVATION VOTERS 1402 3RD AVE #1400 SEATTLE, WA 98101		Staff time (in kind to Kristin Ang)	\$162.54
10/28/19	WASHINGTON CONSERVATION VOTERS 1402 3RD AVE #1400 SEATTLE, WA 98101		Staff time (in kind to Kristina Walker)	\$54.18
10/28/19	WASHINGTON CONSERVATION VOTERS 1402 3RD AVE #1400 SEATTLE, WA 98101		Staff time (In kind to Megan Dunn)	\$54.18
10/28/19	WASHINGTON CONSERVATION VOTERS 1402 3RD AVE #1400 SEATTLE, WA 98101		Staff time (in kind to April Barker)	\$100.79
10/28/19	WASHINGTON CONSERVATION VOTERS 1402 3RD AVE #1400 SEATTLE, WA 98101		Staff time (in kind to Karen Howe)	\$83.67
10/28/19	WASHINGTON CONSERVATION VOTERS 1402 3RD AVE #1400 SEATTLE, WA 98101		Staff time (in kind to Karen McKnight)	\$83.67
10/28/19	WASHINGTON CONSERVATION VOTERS 1402 3RD AVE #1400 SEATTLE, WA 98101		Staff time (in kind to Rituja Indapure)	\$83.67
10/28/19	WASHINGTON CONSERVATION VOTERS 1402 3RD AVE #1400 SEATTLE, WA 98101		staff time (in kind to Vanessa Kritzer)	\$167.34

Page Total \$ \$58,793.54





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

January 28, 2019

Delivered electronically to "lennon@wcvoters.org"

Subject: Complaint filed by Bret Uhrich, PDC Case 42958

Dear WA Conservation Voters Action Fund:

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

As noted in the letter to Bret Uhrich, 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 failure to provide an adequate avenue for voters to receive sponsor identification without connection to the Internet. Staff expects you to provide a mechanism in future political advertising for non-Internet capable devices to access the required sponsor identification disclosures quickly and easily. The Commission will consider the 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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by email at [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov).

Sincerely,

/s \_\_\_\_\_  
Fox Blackhorn  
Compliance Coordinator 2

Endorsed by,

/s \_\_\_\_\_  
Peter Lavalley  
Executive Director



**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

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January 28, 2019

Delivered electronically to “buhrich@lawschool.gonzaga.edu”

Subject: Complaint regarding WA Conservation Voters Action Fund, PDC Case 42958

Dear Bret Uhrich:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 6, 2018. Your complaint alleged that WA Conservation Voters Action Fund may have violated RCW 42.17A.320 for failure to accurately and completely disclose sponsor identification on text message based political advertising.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the response provided by WA Conservation Voters Action Fund; and PDC guidance concerning sponsor identification for text messages issued October 13, 2018, to determine whether the record supports a finding of one or more violations.

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

- On November 6, 2018, the WA Conservation Voters Action Fund admits to sending a text message to the number associated with Yvonne Uhrich, soliciting votes in support of candidates Rollins and Wolfe for Snohomish County Public Utility District Commissioners.
- In accordance with WAC 390-18-030(3)(b), and the “one-click” exemption for small online advertising, WA Conservation Voters Action Fund provided a link that recipients with Internet capable phones could click and be taken to a page containing the required sponsor identification disclosures.
- WA Conservation Voters Action Fund cites to the PDC guidance, issued October 13, 2018, concerning text message sponsor identification, but omits the guidance concerning alternative methods for non-Internet capable phones.
- WA Conservation Voters Action Fund did not provide an alternative to receive sponsor identification information for devices not capable of following the link, as provided in the PDC’s guidance around sponsor identification in text messaging.

The guidance that WA Conservation Voters Action Fund cited in their response to the allegations states, “[s]ince some phones receiving the text will not be able to follow a link, we suggest campaigns include, in addition to a web address, mechanisms that allow the recipients to request sponsor ID information. Sponsors should make that process as easy as possible, perhaps by allowing the recipient to reply with a single character that then prompts another text message



*with the sponsor ID information. The message would look something like this: 'Go to www.xyzcommittee.com or text \*for sponsor information.'"]*

Based on these findings staff has determined that, in this instance, failure to provide an adequate avenue for voters to receive sponsor identification without connection to the Internet does not amount to an actual violation warranting further investigation.

Pursuant to WAC 390-37-060(1)(b), WA Conservation Voters Action Fund will receive a formal written warning concerning failure to provide an adequate avenue for voters to receive sponsor identification without connection to the Internet. The formal written warning will include staff's expectation that WA Conservation Voters Action Fund provides a mechanism in future political advertising for non-Internet capable devices to access the required sponsor identification disclosures quickly and easily. 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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

/s \_\_\_\_\_  
Fox Blackhorn  
Compliance Coordinator 2

Endorsed by,

/s \_\_\_\_\_  
Peter Lavalley  
Executive Director

cc: WA Conservation Voters Action Fund