



State of Washington
PUBLIC DISCLOSURE COMMISSION

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October 31, 2023

Delivered electronically to Glen Morgan at glen@wethegoverned.com

Subject: Complaint regarding Barbara De Michele, PDC Case 140862

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on August 2, 2023. Your complaint alleged that Barbara De Michele, an incumbent City of Issaquah Council Member, Position 3, may have violated RCW 42.17A.235 and .240 for failure to disclose and properly break down/describe expenditure details on Summary, Full Report Receipts and Expenditures (C-4) reports, as required in WAC 390-16-037 and WAC 390-16-205.

To determine whether a formal investigation or enforcement action is warranted, PDC staff reviewed the allegations listed in the complaint; the applicable statute(s), rule(s), and reporting requirements; the C-3 and C-4 reports filed by the Barbara De Michele for Issaquah Council (Campaign); and other relevant information.

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

- On May 24, 2019, Barbara De Michele timely filed a Candidate Registration (C-1) report and selected the Full Reporting Option.
- You alleged that the Campaign failed to properly describe/break down expenditures undertaken by the Campaign. You also alleged that the Campaign failed to report a surplus funds account to the Public Disclosure Commission (PDC). You included/attached three PDF copies of the Campaign's C-4 reports with your complaint, one for "missing details for signs" and the other two showing two transfers emanating from the surplus account.
- Staff reviewed all three attachments/C-4 reports you submitted with the complaint and noted that there were some expenditures made by the Campaign for which a more detailed explanation or description should have been provided, such as the number/quantity of items, name and address of the vendor and other required items on the Schedule B to the C-4 report. For example, the Campaign failed to include the number/quantity of signs for the September 4, 2019, expenditure in the amount of \$1,486.35 paid to "Capitol City Press" for "yard signs & stakes." The Campaign failed to include the number/quantity of signs and stakes bought by the campaign.

- Regarding the allegation about the surplus funds account, staff noted that the account was reported to the PDC by the Campaign; however, it was not visible to the public due to an internal technical glitch. Review of the glitch with the PDC IT department determined that the system did not seem to recognize the surplus account as associated with Barbara De Michele. This glitch has since been corrected and the surplus account is now visible to the public.

Based on these findings staff has determined that, in this instance, the Campaign's failure to properly and accurately describe the purpose of the expenditures to include the number/quantity of the signs and other items depicted on the amended C-4 report filed by the Campaign on November 27, 2029, does not amount to a violation warranting further investigation.

There were a few expenditures made by the Campaign either to a vendor or as an in-kind to the Campaign during the 2019 election year for which a more detailed explanation or description such as the number/quantity of items should have been provided. However, this shortcoming is mitigated by the fact that the 21- and 7-days pre-general C-4 reports were largely in compliance with the general reporting requirements during the 2019 election year.

However, pursuant to WAC 390-37-060(1)(d), Barbara De Michele will receive a formal written warning concerning her Campaign's failure to disclose and properly break down/describe expenditure details on C-4 reports in the 2019 election year. Barbara De Michele will be informed the Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Accordingly, 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 Erick Agina, Compliance Officer at 360-586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdc.wa.gov

Sincerely,

Endorsed by,

s/_____
Erick O. Agina, Compliance Officer

s/_____
Peter Frey Lavallee, Executive Director

cc: Barbara De Michele