



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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November 16, 2023

Delivered electronically to Glen Morgan at “glen@wethegoverned.com”

Subject: Complaint regarding Snohomish County Democrats, PDC Case 141707

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on August 21, 2023. The complaint alleged that the Snohomish County Democrats, a bona fide county party committee registered with the PDC during calendar years 2018, 2019, 2020, 2021, 2022 & 2023, may have violated RCW 42.17A.235 & .240: (1) for failure to timely file Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports) and; (2) RCW 42.17A.235 & .240 for failure to include detailed vendor information for in-kind contributions.

PDC staff reviewed the allegations and supporting documentation; the applicable statutes, rules, and reporting requirements; the response provided by Chair Monica Chilton and Treasurer Eric Valpey, on behalf of the Respondent; the applicable PDC reports filed by the Respondent; and queried the Respondent’s data in the PDC contribution and expenditure database, and other relevant information, to determine whether the record supports a finding of one or more violations.

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

- During calendar years 2018, 2019, 2020, 2021, 2022 & 2023 the Snohomish County Democrats was registered as a bona fide county party committee with the PDC under the “Full Reporting” option, and most recently listed Monica Chilton as Chair and Eric Valpey as Treasurer.

Allegation One: Failure to timely file C-3 reports and C-4 reports

- The complaint alleged that the Snohomish County Democrats filed numerous C-3 and C-4 reports covering campaign activity for calendar years 2018 to 2023, late. The evidence of the late reporting was submitted in the form of a spreadsheet where the projected due date was assumed solely based on the reporting schedule for committees participating in elections during the calendar year and without consideration of the dollar amount disclosed on each report.
- In addition, the spreadsheet alleged that twenty-four amended reports were submitted late but did not provide any specific information about the activity that purportedly was omitted from the original or otherwise edited.
- During the review of the alleged late reporting spreadsheet, PDC staff found that many of the listed reports disclosed small dollar amounts under the reporting threshold (more than

\$750 as of April 1, 2023, and more than \$200 in prior years) for monthly C-4 reports, or were amendments as discussed above.

- Staff did note reports that appeared to be submitted after the filing deadline, including C-4 reports showing expenditures for party fundraising events, utilities, and contributions made to candidate campaigns. Although the contributions were reported several months late in some cases, staff found them to be timely disclosed by the recipients in most instances.
- In the response, Ms. Chilton and Mr. Valpey acknowledged the late filing, agreeing that this creates skepticism and erodes public confidence. Chilton and Valpey went on to confirm that the late reporting was not intentional or otherwise meant to conceal campaign activity from the public. Finally, they stated that although the party has faced challenges in the past, they have taken steps to improve their reporting practices including stricter internal deadlines, increased oversight and improved communication.

Allegation Two: Failure to disclose in-kind contributions

- The complaint alleged that the Respondent failed to properly disclose in-kind contributions, specifically vendor or sub-vendor name, address, & description of good or service provided.
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- PDC Staff notes that the PDC's ORCA (Online Reporting of Campaign Activity) software available for use in calendar years 2018 and 2019 lacked the vendor breakdown and lengthy text entry capabilities included in the current version.
- In their response, Ms. Chilton and Mr. Valpey stated that although they found this allegation confusing, they are willing to add detail as necessary, noting that some of specifics about vendors used for past in-kind donations may no longer be available given the length of time passed since the transactions. They also committed to proper training of staff to ensure future compliance with this requirement.

It appears that although the Snohomish County Democrats did submit campaign reports late ranging from calendar year 2018 forward, many of the expenses were for party building activities, utilities and overhead. The late reported contributions made by the Respondent were mitigated by the fact that the recipients of those contributions timely disclosed them to the public before the election. Staff noted that the majority of reports filed in 2018 and discussed in the complaint are beyond the statute of limitations for any enforcement action.

Staff found no evidence that the Snohomish County Democrats purposely filed late or inaccurate campaign reports in order to conceal its activities from the public or adversely affect the outcome of previous elections.

Based on our findings staff has determined that, in this instance, failure to timely and accurately file campaign reports dating back from calendar year 2018 forward, including details of in-kind contribution activities, does not amount to a finding of a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, the Respondent will receive a formal written warning concerning failure to timely and accurately file reports disclosing campaign activity. The formal written warning will include staff's expectation that the Snohomish County Democrats timely and accurately files all future required reports of contributions and

expenditures. 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 all allegations in this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdc@pdc.wa.gov.

Sincerely,

Endorsed by,

Electronically signed
Jennifer Hansen
Compliance Officer

Electronically signed
Peter Frey Lavalley
Executive Director

cc: Snohomish County Democrats