



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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October 10, 2023

Delivered electronically to Glen Morgan at glen@wethegoverned.com

Subject: Complaint regarding Irene Bowling, PDC Case 140801

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 18, 2023. Your complaint alleged that Irene Bowling, a 2018 candidate for Washington State Senator in the 35th Legislative District, 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 Committee to Elect Irene Bowling (Campaign); the August 11, 2023, response to the complaint provided by Irene Bowling on behalf of the Campaign; and other relevant information.

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

- On May 29, 2018, Irene Bowling timely filed a Candidate Registration (C-1) report and selected the Full Reporting Option.
- You alleged that the Campaign failed to report in-kind contributions and describe/break down expenditures undertaken by the Campaign, including proper descriptions of in-kind contribution received by the Campaign from the candidate and/or others. You included an Excel spreadsheet of instance or examples of in-kind contributions that were not properly disclosed, including expenditures that lacked proper description or break down of expenditures.
- Staff reviewed the attachments you submitted with the complaint and noted that there were some expenditures made by the Campaign either to a vendor or as an in-kind contribution 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 of mailing pieces for the November 23, 2018, expenditure in the

amount of \$5,445.83 paid to “Mercury Direct” for “final mailing piece.” The Campaign failed to include the number/quantity of mailer mailed and/or bought.

- In its response to the complaint, the Campaign, by way of Irene Bowling, stated: “I no longer have any access to the documentation or people from this campaign from 2018. I was not aware that I would need to have this paperwork saved after so many years.” The Respondent also noted that she is undergoing or currently battling health issues that she does “not have the energy or resources to delve into this.”
- Staff noted that it is the responsibility of the Campaign to keep records related to an election campaign for five years. Staff also noted that it is the responsibility of the Campaign to make sure that the retention statutory period for the books of account is adhered to as required under Chapter 42.17A RCW.

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 items bought by the Campaign, including properly describing in-kind contributions, 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 2018 election year for which a more detailed explanation or description such as the number/quantity of items printed should have been provided. However, this shortcoming is mitigated by the fact that the 21- and 7-days C-4 reports were mostly in compliance with the general reporting requirements during the 2018 election year. The Campaign was also responsive to staff during the course of staff’s review of this complaint.

However, pursuant to WAC 390-37-060(1)(d), Irene Bowling 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 2018 election year only, for violations within the five-year statute of limitation. Irene Bowling 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 Lavalley, Executive Director for

cc: Irene Bowling