City of Seattle

Ethics and Elections Commission

March 25, 2010

Vinh Tang, Treasurer
Friends of Bruce Harrell
PO Box 21208
Seattle, WA 98111

Re: Late Reports

Dear Mr. Tang:

On February 9, 2010, the Friends of Bruce Harrell committee (the "Committee") electronically filed C-4 reports detailing activity for the reporting period May 1, 2008 through January 31, 2010. The reports were filed a total of 1,004 days late.

Because the Committee had just $228 in expenditures that went unreported and received no contributions during that time, and because the Committee's reporting failures occurred early in the 2011 election cycle, I am reducing the late filing penalty to $100.

TIMELY REPORTS REQUIRED

State and City law require committees to file monthly C-4s and C-3s on the tenth of each month when no other reports are required and when the campaign has raised or spent more than $200 since the last report was filed.

LATE FILED REPORTS

The Committee was required to file a C-4 reporting activity from May 1 through May 31, 2008 no later than June 10, 2008 to show the surplus funds and debts the 2007 Committee carried forward to the 2011 Committee. This report was filed 609 days late.

A second C4 was required to be filed for the period June 1 through December 31, 2008 no later than January 10, 2009, when the Committee's expenditures exceeded the $200 threshold that triggers a reporting obligation. This report was filed 395 days late.

LATE FILING PENALTY

The Seattle Elections Code (SMC 2.04.330) authorizes the Executive Director to impose late filing penalties of $10 per day for each late filed report. The late filing penalty increases to $50 a day for each late filed report during the seven days before the election. At 1,004 days late, the Committee could be subject to a penalty of $10,400.

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In determining a suitable penalty, I took into account the fact no contributions went unreported by the Committee; that the expenditures that triggered the filing requirement totaled just $228; and, finally, that the reporting failures occurred early in the 2011election cycle. Balancing these mitigating factors with the substantial delay in filing the two reports, I am reducing the Committee's penalty to $100.

RIGHT TO APPEAL

You may appeal this decision by submitting by 4:00 p.m., Thursday, April 8, 2010, a written request for appeal. The Administrative Rules governing the appeal process can be found on the Commission's website at www.seattle.gov/ethics/home/rules.htm.

ACTION TO TAKE

No later than Thursday, April 8, 2010, deliver to the Commission at 700 Fifth Avenue, Suite 4010, P.O. Box 94729, Seattle, WA 98124-4729, a $100 check payable to the City of Seattle, or your request for an appeal.

CONCLUSION

A major purpose of the Seattle Elections Code is to give the public timely access to the campaign finances of each political committee. Any delay in reporting inhibits this purpose and prevents the opportunity for scrutiny, to which the public is entitled.

If you have any questions, or have information that we have not considered in this letter, please call me at 684-8577.

Very truly yours,

Wayne Barnett
Executive Director

cc: Seattle Ethics and Elections Commission
Doug Ellis, Deputy Director, Public Disclosure Commission