City of Seattle
Ethics and Elections Commission

August 13, 2015

BY E-MAIL ONLY

Derrick Williams, Treasurer
Debora for District 5
P.O. Box 22169
Seattle, WA 98122

Dear Mr. Williams:

The Debora for District 5 Committee (the "Committee") failed to timely report expenditures of approximately $1,000 in the weeks before the Primary election. Since the omission occurred on the C-4 due 21 days before the election, I am imposing a penalty of $150.

FACTS

On July 31, 2015, during a pre-election audit of the campaign records, SEEC staff discovered an unreported June 15 payment of $536.02 to Washington State Democrats and an unreported July 13 payment of $454.30 to Silver Reef Hotel Casino.

SEEC staff advised the Committee to amend both the 21- and 7-day C-4s to properly account for these two expenditures. The Committee filed amended C-4s on July 31.

RELEVANT LAW

The Seattle Elections Code authorizes the Commission's Executive Director to impose late filing penalties of up to $150 per day for reports late-filed in the closing 30 days before an election. SMC 2.04.330 B through D.

The Commission's Elections Code Administrative Rule 4.B states that reports that contain "substantial omissions of fact" are not considered filed, and subject the committee to late filing penalties."

LATE FILING PENALTIES

The Committee filed an accurate 21-day C-4 reporting $990.32 in previously unreported expenditures on July 31, 17 days late.

This office consistently imposes penalties for material violations that occur at a time when people are voting their mail-in ballots. I am therefore imposing a late-filing penalty of $150.

700 FIFTH AVENUE, SUITE 4010, P.O. BOX 94729, SEATTLE, WASHINGTON 98124-4729
(206) 684-8500 FAX (206) 684-8590
An equal employment opportunity employer

RIGHT TO APPEAL

You may appeal this decision by submitting to this office, by 4:00 p.m., August 27, 2015, a written request for appeal, pursuant to the Commission's Administrative Rule 4.[1]

ACTION TO TAKE

No later than August 27, 2015, deliver payment to the Commission at 700 Fifth Avenue, Suite 4010, P.O. Box 94729, Seattle, WA 98124-4729, or your request for appeal.

CONCLUSION

A successful campaign finance reporting regime requires that all campaigns abide by the same rules. When significant transactions are late-reported during the final weeks before the election, I am compelled to impose a late filing penalty.

If you have any questions, please call me at 684-8577.

Very truly yours,

Wayne Barnett
Executive Director

cc: Seattle Ethics and Elections Commission
Phil Stutzman, Public Disclosure Commission

---

[1] Rule 4 APPEALS

A. Upon the written request of a party aggrieved by the Executive Director's decision to dismiss a complaint, or to impose late-filing penalties under SMC 2.04.330, the action may be reviewed by the Commission.

***

C. An appeal of late-filing penalties shall be served at the Commission's office no later than 14 days after the date of mailing the decision of which review is sought.

D. A request for review shall state the grounds therefor, and shall be no longer than twelve 8-1/2'' x 11" double-spaced pages in length with margins of at least 1" on every side, and no more than 12 characters per inch.