



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

October 4, 2022

Delivered electronically to David Green at “david.green.cpa@gmail.com”

Subject: Complaint regarding Robert (Bob) McCaslin, PDC Case 109883

Dear David Green:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on June 22, 2022. The complaint alleged that Robert (Bob) McCaslin, a candidate for Spokane County Auditor in the 2022 election, may have violated RCW 42.17A.235 and .240 for failure to timely and accurately file Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports), disclosing contributions and expenditures undertaken by the Campaign and surplus funds left over from the 2020 State Representative Legislative District 4 Campaign.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the response provided by Ministerial Treasurer Sharon Hanek 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, to determine whether the record supports a finding of one or more violations.

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

- On March 9, 2022, Bob McCaslin submitted a Candidate Registration Statement (C-1 report) declaring his candidacy for Spokane County Auditor in the 2022 election, selecting the “Full Reporting” option and listing Sharon Hanek as Ministerial Treasurer.
- The C-1 report was amended on March 21, 2022 to reflect a new financial institution for the campaign bank account.
- RCW 42.17A.235 describes the required filing deadlines for disclosure of campaign finance activities including monetary contributions, in-kind donations of goods or services, and expenditures made by the campaign.
- RCW 42.17A.240 describes the required content of each campaign reports including the name and address of each person making contributions and to whom an expenditure was made.
- Prior to the date of the complaint, the 2022 McCaslin Campaign timely filed the March 2022 C-4 report, timely filed two C-3 reports and filed the April 2022 C-4 five days late.
- The complaint alleged that at the time of the complaint, the Respondent had: (1) late filed or was missing two C-4 reports, including the May 2022 C-4 due on June 10, 2022; and (2) failed to disclose the surplus funds left from the 2020 State Representative Campaign.

- Staff included a review of C-3 reports in the investigation and found that five of the seventeen total C-3 reports containing \$18,000 in monetary contributions from fifty separate donors were filed late. The contributions were timely deposited, and all but one deposit was disclosed prior to the August 2, 2022 primary election date.
- A review of the C-4 reports found that four of the ten total original C-4 reports containing \$11,300 in monetary receipts and \$13,585.94 in monetary expenditures were filed late. The 7-day Pre-Primary C-4 report was amended two days after the July 26, 2022 due date to reflect a previously undisclosed \$110.45 in-kind donation for costs related to a 7,500 piece mailer from the Washington State Republican Party. With the exception of a \$2,500 deposit, the contributions and expenditures were disclosed on C-4 reports prior to the August 2, 2022 primary election date.
- In the response regarding the late reporting of the 2022 C-4 reports, Sharon Hanek confirmed that all the reports had now been filed and that the account was up to date. She further stated that at the beginning of the campaign someone helping with the campaign neglected to collect all the information for reporting resulting in a request from the bank which delayed the reporting process. Ms. Hanek stated that campaign staff have since been very good at maintaining records and the C-3 and C-4 reports have been filed in a timely manner.
- Staff found that assistance was required from Rep. McCaslin's 2020 treasurer, Rick Van Zandt, to ensure that the ending balance from 2020 was accurate and could be used for future reporting.
- Regarding the Surplus Funds Account, Ms. Hanek stated that a separate account is registered and active. The Surplus Funds Account's activity was limited to a carry-forward of \$10,465.12 from the 2020 election campaign and \$146.64 in bank charges.
- On April 10, 2022, the 2022 McCaslin Campaign submitted a C-3 report disclosing \$9,000 worth of surplus monies transferred from the 2020 Campaign with permission from the donors of those funds. The deposit and report were timely submitted.
- Staff noted that the \$10,465.12 balance left at the conclusion of the 2020 election campaign has been disclosed as the beginning balance of the Surplus Funds Account.

Although the Respondent is not a first-time candidate, staff found no evidence that the 2022 McCaslin Campaign purposely delayed or misrepresented campaign contribution and expenditure activity in order to conceal this information from the public.

Based on our findings staff has determined that, in this instance, failure to timely and accurately file a small number of C-3 and C-4 reports disclosing campaign activities, specifically including contributions and expenditures disclosed late but prior to the Primary Election, does not amount to a finding of a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, Bob McCaslin will receive a formal written warning concerning failure to timely and accurately disclose contributions and expenditures. The formal written warning will include staff's expectation that Mr. McCaslin 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 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 pdcc@pdc.wa.gov.

Sincerely,

Electronically signed
Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed
Peter Frey Lavalley
Executive Director

cc: Robert (Bob) McCaslin