

From: [Peter Lavallee](#)
To: [Maxford Nelsen](#)
Subject: RE: Request to re-open PDC Case No. 47303
Date: Monday, May 20, 2019 3:17:09 PM

Dear Max,

Thanks again for reaching out with your thoughts on PDC Case 47303 regarding SEIU PEAFF. In general, PDC case resolutions of this nature are not subject to “appeal” to the Executive Director or Commission. I did, however, review the matter, and I can provide the following additional information.

The matter was dismissed with a warning pursuant to WAC 390-37-060(1)(d). Our correspondence resolving the case inadvertently cited WAC 390-37-060(1)(b), which had contained the warning provision of that rule prior to the latest revisions, effective 12/31/2018. I appreciate this opportunity to clarify that authority with you.

With that clarification, my review affirmed that this matter was resolved properly on the evidence and applicable law.

The PDC exercises discretion in the deployment of finite resources across the several hundred cases it considers each year. Respectfully, following the agency’s careful review, assessment and investigation of such matters, the agency cannot re-review each one upon request, although I am happy to provide this courtesy reply in the present instance.

Regards,

Peter

--

Peter Lavallee
Executive Director
Public Disclosure Commission
peter.lavallee@pdc.wa.gov
360-664-2735

From: Peter Lavallee
Sent: Wednesday, May 15, 2019 4:55 PM
To: 'Maxford Nelsen' <MNelsen@freedomfoundation.com>
Subject: RE: Request to re-open PDC Case No. 47303

Hi Max,

Thanks for your note. As you know, dismissals of complaints by the Executive Director of the PDC are final decisions under WAC 390-37 (subject to the outcome of pending litigation, of course, of which I know you are aware).

That said, as I courtesy, I will review your letter in detail and get back to you with further thoughts.

Because this involves an enforcement matter—albeit one that has been resolved, but which nevertheless, under the terms of your request, could theoretically come before the Commission in some form—I have left the Commissioners off this correspondence, so as to maintain their independence from the PDC staff side of a potential enforcement matter. I did, however, let them know that I would be responding to you directly, so that they know I closed the loop.

Thanks for reaching out, and I appreciate your continued willingness to work cooperatively and professionally with the PDC on our shared interest in campaign-finance transparency.

I look forward to seeing you again soon.

Kind regards,

Peter

--

Peter Lavallee
Executive Director
Public Disclosure Commission
peter.lavallee@pdc.wa.gov
360-664-2735

From: Maxford Nelsen <MNelsen@freedomfoundation.com>

Sent: Wednesday, May 15, 2019 1:21 PM

To: Peter Lavallee <peter.lavallee@pdc.wa.gov>

Cc: Anne Levinson <anne.levinson@pdc.wa.gov>; David Ammons <david.ammons@pdc.wa.gov>; Bill Downing <bill.downing@pdc.wa.gov>; Russell Lehman <russell.lehman@pdc.wa.gov>; Fred Jarrett <fred.jarrett@pdc.wa.gov>

Subject: Request to re-open PDC Case No. 47303

Mr. Lavallee,

Please see the attached letter regarding the PDC's recent resolution of [Case No. 47303](#) involving a complaint submitted by the Freedom Foundation against the Service Employees International Union's Political Education and Action Fund.

After a thorough review, I believe the PDC's handling and resolution of the complaint to be inconsistent with the Fair Campaign Practices Act and/or PDC regulations. Accordingly, after reviewing the attached, I would respectfully request that the PDC either provide further explanation for its actions in writing or re-open Case No. 47303 for appropriate processing and resolution.

I realize this request may be somewhat out of the ordinary and am open to the possibility that I may

be missing some important factor or element that would justify the PDC's actions in this case. Nonetheless, I thought it important to bring these concerns to the Commission's attention.

Please do not hesitate to contact me with any questions you may have or to clarify any of the concerns outlined in the attached. I look forward to hearing from you.

Sincerely,

Maxford Nelsen

Director of Labor Policy | Freedom Foundation

MNelsen@FreedomFoundation.com

360.956.3482 | PO Box 552 Olympia, WA 98507

FreedomFoundation.com