

## Public Comment for PDC's March Meeting

**Conner Edwards**

reported via email

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Commissioners:

This e-mail is my public comment for March's regular meeting.

Best,

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1. **Filer non-compliance, poor agency enforcement, etc.** At the agency's strategic planning in March of 2024, the agency acknowledged there was a broad problem with filer noncompliance with C3/C4 filing deadlines and that this was at least partially attributable to the PDC's historically reactive (as opposed to proactive) approach to enforcement.

The agency decided that in the short term it would implement an automated reminder/notification program for candidates who failed to timely file pre- and post-election C4 reports. This idea wound up being incredibly successful, with the agency witnessing massive improvements in compliance.

As successful as this program has been, it only addresses a segment of the overall problem. The program does not deal with any filings required by PACs, it does not deal with untimely candidate C3 reports, it does not deal with any of the non-pre-election C4 reports required to be filed by candidates. It also does not address the fact that non-de-minimus violations (which would lead to penalties in other jurisdictions) are simply dismissed administratively by staff. It also does not address the reality that the agency's current penalty schedule results in penalties being imposed that are so small that they serve no meaningful deterrent.

At last month's meeting, the Commission discussed the idea of overhauling the reporting schedule to create one uniform calendar for all filers. This is a great idea that could allow the PDC to apply its successful automated reminder/notification program to all filers and C3/C4 reports. This could dramatically improve compliance and improve the filer experience. As great of an idea as this is, the odds are very stacked against such a proposal being able to succeed. (It

would help the discussion if the PDC could provide a more detailed proposal of what it is proposing at the next stakeholder meeting. )

Simply hoping that a reporting schedule overhaul will solve all or most of the agency's problems would be a foolish move. The PDC should also consider:

- a) Initiating enforcement on its own initiative when a filer commits a violation as opposed to waiting for someone to file a complaint.
- b) Using the rulemaking process to extend the agency's successful notification/reminder program to C3s and all C4s for candidates and PACs.
- c) Using the rulemaking process to require filers to watch a brief PDC training video at the beginning of a campaign cycle to decrease unintentional violations.
- d) Eliminating the ability for respondents to claim ignorance of the law/innocent mistake in order to obtain an administrative dismissal.

**2. Public comment period, etc.** Once again, the draft agenda that has been uploaded to the PDC's website does not include any meaningful information relating to the various agenda items that will be discussed.

Without substantive notice about what the PDC plans to discuss or act on, most members of the public have little opportunity to provide meaningful input.

Additionally, for five decades, the PDC has held public comment at the beginning of meetings so that public input could be considered as part of the agency's decision-making process during meetings. Recently, Chair Hayward moved the public comment period so that it occurred after adjudicative matters (but before other matters) to avoid the appearance that public comments could influence the outcome of adjudicative matters.

Now, Chair Leach has further pushed back the public comment period so that it is nearly at the end of the meeting. Chair Leach has also cancelled the public comment period for BAPs.

When members of the public take the time to speak during public comment, it is with the hope that what they have to say might be considered during the decision-making process. Pushing the public comment period to the end of the meeting largely defeats the purpose for why this period exists.

### end ###

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Best,

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