



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

July 30, 2024

VIA ELECTRONIC MAIL

[REDACTED]
Judith Knight

[REDACTED]
Yelm, WA 98587

RE: MUR 8155

Dear Ms. Knight:

On August 22, 2023, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied in response, the Commission, on June 25, 2024, voted to dismiss this matter and close the file effective July 30, 2024. The General Counsel's Report, which more fully explains the Commission's decision, is enclosed for your information.

Documents related to the case will be placed on the public record today. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016).

Sincerely,

Lisa J. Stevenson
Acting General Counsel

Wanda D. Brown

BY: Wanda D. Brown
Assistant General Counsel

Enclosure
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR: 8155

Respondents: Joe Kent for Congress and Thomas Datwyler in his official capacity as treasurer
Joe Kent Victory Fund and Thomas Datwyler in his official capacity as treasurer
Keep Electing New Talent PAC and Thomas Datwyler in his official capacity as treasurer
Joseph Kent
Judith Knight

Complaint Receipt Date: August 15, 2023

Response Dates: September 5, 2023; September 7, 2023



**Alleged Statutory/
Regulatory Violations:**

52 U.S.C. § 30116(a)(1), (f)
11 C.F.R. §§ 110.1(b); 110.9

The Complaint alleges that Judith Knight made, and Joe Kent for Congress and Thomas Datwyler in his official capacity as treasurer (the “Committee”) knowingly accepted, excessive contributions in the 2022 and 2024 election cycles, totaling less than \$14,500, in violation of the Federal Election Campaign Act of 1971, as amended (the “Act”).¹ The Committee is the principal campaign committee of Joseph Kent, a 2022 and 2024 candidate in Washington’s 3rd Congressional District.² The Complaint names Keep Electing New Talent PAC and Thomas Datwyler in his official capacity as treasurer (“KENT PAC”), Kent’s leadership PAC, and Joe Kent

¹ Compl. ¶¶ 3, 5, 10 (Aug. 15, 2023).

² Joe Kent for Congress, Amended Statement of Organization at 2 (Apr. 25, 2023), <https://docquery.fec.gov/pdf/841/202304259581293841/202304259581293841.pdf>; Joseph Kent, Statement of Candidacy (Feb. 10, 2021), <https://docquery.fec.gov/pdf/448/202102109427653448/202102109427653448.pdf>; Joseph Kent, Amended Statement of Candidacy (Apr. 25, 2023), <https://docquery.fec.gov/pdf/892/202304259581294892/202304259581294892.pdf>.

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1 Victory Fund and Thomas Datwyler in his official capacity as treasurer, a joint fundraising
 2 committee in which the Committee and KENT PAC participate, without apparently alleging that
 3 either committee violated the Act.³ The Complaint also names Kent in his personal capacity
 4 without apparently alleging that Kent himself violated the Act. The Complaint also appears to
 5 allege that the Committee's official website did not contain a proper disclaimer, given that it stated
 6 that Joe Kent Victory Fund paid for the website, instead of the Committee.⁴ The Committee
 7 disclosed disbursements totaling \$4,367.02 with a description containing "website" during the 2022
 8 and 2024 election cycles to godaddy.com and an apparent individual.⁵ Joe Kent Victory Fund has
 9 never disclosed a disbursement with a description containing "web."⁶ Joe Kent Victory Fund has
 10 never disclosed a disbursement with a description containing "in-kind."⁷ The Committee's website,
 11 as of the date of this Report, continues to display Joe Kent Victory Fund as paying for the website
 12 but does display the Committee's logo, pictures of the candidate, and links to the Committee's
 13 social media.⁸ An adequate disclaimer would clearly state that the website is paid for by Joe Kent
 14 for Congress.⁹

³ Compl. at 1, ¶¶ 7-8; Joe Kent Victory Fund, Amended Statement of Organization at 2 (Aug. 30, 2023), <https://docquery.fec.gov/pdf/602/202308309596857602/202308309596857602.pdf>; Keep Electing New Talent PAC, Amended Statement of Organization at 2-3 (Dec. 9, 2021), <https://docquery.fec.gov/pdf/716/202112099469828716/202112099469828716.pdf>.

⁴ See Compl. ¶ 8; Joe Kent for Congress, Amended Statement of Organization at 1 (Apr. 25, 2023), <https://docquery.fec.gov/pdf/841/202304259581293841/202304259581293841.pdf>.

⁵ Joe Kent for Congress, Filtered Disbursements, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00771394&two_year_transaction_period=2024&two_year_transaction_period=2022&disbursement_description=website (last visited May. 20, 2024). The Committee also reported \$21,231.82 of in-kind disbursements to the candidate for various mixed purposes, including website. *Id.*

⁶ Joe Kent Victory Fund, Filtered Disbursements, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00797043&disbursement_description=web (last visited May. 20, 2024).

⁷ Joe Kent Victory Fund, Filtered Disbursements, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00797043&recipient_name=C00771394&disbursement_description=in-kind (last visited May. 20, 2024).

⁸ Elect Joe Kent – Republican for WA-03, <https://joekentforcongress.com/> (last visited May. 20, 2024).

⁹ See 52 U.S.C. § 30120(a)(1); see also 11 C.F.R. § 110.11(b)(1), (c)(1).

1 Regarding the alleged excessive contributions from Knight to the Committee, the Complaint
2 alleges, based on a review of FEC disclosure reports, that Knight, under the names JZ Knight and
3 Judith Knight, contributed \$14,500 to “Kent’s campaign” in 2023, in excess of the \$3,300 per
4 election contribution limit for individuals during the 2024 election cycle.¹⁰ The Complaint further
5 alleges that Knight’s contributions exceeded the \$2,900 per election contribution limit for the 2022
6 election cycle because some portion of the \$14,500 may have been designated to retire 2022
7 election cycle debt, and Knight had already contributed the maximum permissible amount in the
8 2022 election cycle.¹¹ The Complaint quotes the Committee’s website, which as of the date of the
9 Complaint allegedly stated that individuals may contribute up to \$14,500 and that such
10 contributions will be allocated in the following order: (1) the Committee shall receive any
11 contribution not exceeding \$3,300 for designation to the 2024 primary election; (2) the Committee
12 shall receive the next contribution not exceeding \$2,900 for 2022 debt retirement which will
13 immediately be reloaned to the 2024 campaign, to the extent such debt exists; (3) KENT PAC shall
14 receive the next contribution not exceeding \$5,000 annually; and (4) the Committee shall receive
15 the next contribution not exceeding \$3,300 for designation to the 2024 general election.¹²

16 In Response, the Committee states that after receiving a Request for Additional Information
17 (“RFAI”) from the Reports Analysis Division on August 13, 2023, the Committee refunded some
18 excessive contributions to Knight.¹³ The RFAI included an attached chart detailing contributions

¹⁰ Compl. ¶¶ 2, 5-6.

¹¹ *Id.* ¶¶ 3-4, 9-10. The Committee disclosed contributions from JZ Knight in the 2022 election cycle totaling \$5,800, \$2,900 designated for the 2022 primary election and \$2,900 designated for the 2022 general election. Joe Kent for Congress, 2021 October Quarterly Report at 112-13 (Oct. 15, 2021), <https://docquery.fec.gov/pdf/300/202110159467675300/202110159467675300.pdf>.

¹² Compl. ¶ 7.

¹³ Committee Resp. at 1 (Sept. 5, 2023).

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made by and refunds made to JZ Knight for the 2024 primary election which resulted in unrefunded contributions totaling \$4,600 (an excessive amount of \$1,300).¹⁴ The Committee filed a Form 99 stating that Knight was refunded \$1,300 on July 13, 2023, and disclosed the refund on its 2023 October Quarterly Report.¹⁵ Additionally, in its Response, the Committee states that “prior to the receipt of the Complaint, the [Committee] had no information to suggest that JZ Knight and Judith Darlene Knight were the same person” and will refund all contributions made by JZ Knight and Judith Darlene Knight and disclose such refunds on the Committee’s next periodic disclosure report.¹⁶ The Committee disclosed two additional refunds to JZ Knight totaling \$6,600.¹⁷ The Committee requests that the Commission dismiss this matter.¹⁸

The Committee disclosed contributions totaling \$17,800 from either JZ Knight or Judith Knight during the 2024 election cycle.¹⁹ The Committee disclosed refunds totaling \$7,900 to Knight, bringing Knight’s total contributions to the Committee for the 2024 election cycle to \$9,900.²⁰

¹⁴ Joe Kent for Congress, RFAI Attach. at 1 (Aug. 13, 2023), <https://docquery.fec.gov/pdf/583/202308130300189583/202308130300189583.pdf>.

¹⁵ Joe Kent for Congress, Miscellaneous Text (FEC Form 99) (Aug. 23, 2023), <https://docquery.fec.gov/pdf/125/202308239596764125/202308239596764125.pdf>; Joe Kent for Congress, Amended 2023 October Quarterly Report at 42 (Dec. 28, 2023), <https://docquery.fec.gov/pdf/902/202312289599925902/202312289599925902.pdf>.

¹⁶ Committee Resp. at 1.

¹⁷ Joe Kent for Congress, Amended 2023 October Quarterly Report at 42-43 (Dec. 28, 2023), <https://docquery.fec.gov/pdf/902/202312289599925902/202312289599925902.pdf>.

¹⁸ Committee Resp. at 1.

¹⁹ Joe Kent for Congress, Filtered Individual Contributions, FEC.GOV, https://www.fec.gov/data/receipts/individual-contributions/?committee_id=C00771394&contributor_name=knight%2C+judith&contributor_name=knight%2C+jz&two_year_transaction_period=2024 (last visited May. 20, 2024).

²⁰ Joe Kent for Congress, Filtered Disbursements, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00771394&recipient_name=knight%2C+judith&recipient_name=knight%2C+jz&two_year_transaction_period=2024 (last visited May. 20, 2024).

KENT PAC did not file a response. KENT PAC did not disclose receiving any contributions from Knight or any of her aliases during the 2024 election cycle.²¹

Joe Kent Victory Fund did not file a response. Joe Kent Victory Fund disclosed contributions totaling \$15,800 from Judith Knight during the 2024 election cycle.²² Out of the \$15,800 that Knight contributed to Joe Kent Victory Fund, it transferred \$9,100 to the Committee (\$2,900 designated for the 2024 primary election and \$6,200 designated for the 2024 general election).²³

In Response, Knight states that, during the 2024 election cycle, she contributed \$14,500 in total to the Committee (\$2,900 for the general election, \$2,900 for the primary election, and \$3,700 unspecified) and Joe Kent Victory Fund (\$5,000).²⁴ Knight further states that she received refund checks totaling \$7,900 but does not specify which committee issued the refunds.²⁵ Knight's Response conflicts with the Committee's disclosure reports regarding contribution amounts and totals.²⁶

²¹ Keep Electing New Talent PAC, Filtered Individual Contributions, FEC.GOV, https://www.fec.gov/data/receipts/individual-contributions/?committee_id=C00793570&contributor_name=hampton%2C+judith&contributor_name=knight%2C+jz&contributor_name=knight%2C+judith&two_year_transaction_period=2024 (last visited May. 20, 2024).

²² Joe Kent Victory Fund, Filtered Individual Contributions, FEC.GOV, https://www.fec.gov/data/receipts/?data_type=processed&committee_id=C00797043&contributor_name=knight (last visited May. 20, 2024).

²³ Joe Kent for Congress, 2023 April Quarterly Report at 84 (Apr. 15, 2023), <https://docquery.fec.gov/pdf/698/202304159580928698/202304159580928698.pdf>; Joe Kent for Congress, Amended 2023 October Quarterly Report at 26 (Dec. 28, 2023), <https://docquery.fec.gov/pdf/902/202312289599925902/202312289599925902.pdf>.

²⁴ JZ Knight Resp. at 1 (Sept. 7, 2023).

²⁵ *Id.*

²⁶ Compare JZ Knight Resp. at 1 (reflecting contributions totaling \$14,500 to the Committee and Joe Kent Victory Fund and refunds totaling \$7,900, resulting in total net contributions of \$6,600 after refunds), with Joe Kent for Congress, Filtered Individual Contributions, FEC.GOV, https://www.fec.gov/data/receipts/individual-contributions/?committee_id=C00771394&contributor_name=knight%2C+judith&contributor_name=knight%2C+jz&two_year_transaction_period=2024 (last visited May. 20, 2024) (reflecting contributions totaling \$17,800 from either JZ Knight or Judith Knight during the 2024 election cycle); Joe Kent for Congress, Filtered Disbursements, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00771394&recipient_name=knight%2C+judith&recipient_name=knight%2C+jz&two_year_transaction_period=2024 (last visited May. 20, 2024) (reflecting

1 Based on its experience and expertise, the Commission has established an Enforcement
2 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
3 assess whether particular matters warrant further administrative enforcement proceedings. These
4 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity
5 and the amount in violation; (2) the apparent impact the alleged violation may have had on the
6 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in
7 potential violations and other developments in the law. This matter is rated as low priority for
8 Commission action after application of these pre-established criteria. Given that low rating and
9 apparent low dollar amount at issue, we recommend that the Commission dismiss the Complaint,
10 consistent with the Commission's prosecutorial discretion to determine the proper ordering of its
11 priorities and use of agency resources.²⁷ We also recommend that the Commission close the file
12 effective 30 days from the date of certification of this vote (or on the next business day after the
13 30th day, if the 30th day falls on a weekend or holiday) and send the appropriate letters.

14 Lisa J. Stevenson
15 Acting General Counsel
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17 Charles Kitcher
18 Associate General Counsel
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refunds totaling \$7,900 to Knight, after which Knight's contributions to the Committee for the 2024 election cycle total \$9,900).

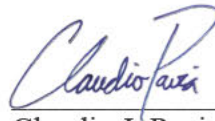
²⁷ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

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May 20, 2024

Date

BY:



Claudio J. Pavia

Deputy Associate General Counsel



Wanda D. Brown

Assistant General Counsel



Gordon King

Attorney